

**THE HISTORY
OF
HUMAN MARRIAGE**

THE HISTORY OF HUMAN MARRIAGE

VOLUME ONE

Professor Yogesh Atal

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INTRODUCTION

It is indeed an honour to have been asked to introduce a book that made publishing history when it first appeared in 1891. As a new initiate to the science of Anthropology I had an occasion to scan through this *Magnum Opus* in the late 1950s. I was greatly impressed by the encyclopaedic coverage and the scholarly treatment of the book. Rereading the book after a long gap of fifty years spent in teaching and research, when one has a better grasp of theory and methodology, is an altogether different experience. Of course, these years have seen a good deal of theoretical sophistication relative to the institutions of marriage and family, and yet this book has not lost its relevance. It is good that it is reproduced so that it will be available to the new generation of readers.



Using the comparative method, the author had visited enormous amount of data relative to several hundred tribes and communities concerning marriage related practices and had come up with significant theoretical formulations challenging several of the existing conclusions and theories. Not only did he review the ethnographies written by the pioneering anthropologists, who had lived among the primitives in distant lands, he also examined religious texts and scriptures of various denominations. Included among them, surprisingly, were also the *Manu Smriti*, *Parashar's Grihya Sutra* and the *Mahabharata* epic!! The book rivalled James Frazer's *The Golden Bough* as a significant bibliographical reference work and as a veritable encyclopaedia of information of a single institution. The book dealt not only with marriage, in a narrower sense of the term, but every aspect of heterosexuality—celibacy, incest, promiscuity, premarital sex, religious prostitution, monogamy, polygamy etc.

Authored by a young Finnish Anthropologist who learnt English at the ripe age of 25, the book appeared in print when he was just 29. The book had gone five printings. The Second Edition appeared in 1894, and the Third in 1901. The First edition was so well received that its translations soon appeared in German, Swedish, French, Italian, and Russian. The book attracted a good deal of debate and encouraged other scholars to develop alternative theories, but the author could not respond to them when the Third edition appeared, as he was engaged in anthropological research in Morocco. The fourth edition, published in 1911, did contain an appendix to update relevant information and also did respond to some of the criticisms. It was, however, the Fifth edition, brought out 30 years

after its first publication, in the year 1921, that the author made significant revisions and considerably enlarged the text spreading into three volumes. Preparation of this edition entailed a thorough revision of the entire text. Virtually all sentences were redone and several new passages and chapters were added. Thus, the Fifth edition can be regarded as a new book altogether. Previous editions were the work of a fresh Ph.D.; the Fifth edition bears the stamp of an established scholar, with considerable experience of fieldwork, and advantage of reading a good deal of relevant material. This is the reprint of the Fifth edition, coming out after 86 years. The original three volumes are, in this reprint, being reproduced in six volumes for logistic reasons. The content, however, remains unchanged.

In its elaborated form, for example, treatment of the phenomenon of *Jus Primae Noctis*¹—the right of the first night—covers 69 pages compared to the nine pages in the first edition. Similarly, marriage rites that were dismissed in thirteen pages in the first edition are given three full chapters with an increase of twelve times in the number of pages devoted to this topic. The enlarged version contains two chapters on polyandry and a separate chapter on group marriage. There is also detailed treatment of the influence of economic conditions in determining monogamy and polygyny. The bibliographic references in the enlarged version are spread in 100 pages. This figure may not surprise today's readers because the availability of search engines via the internet—e.g. Google—has made the task of the researchers and writers much easier; but imagine the travails of the author working in the 1920s without the aid of the computer, and perhaps using also a very primitive model of a typewriter. Westermarck deserves all the kudos for his industry, perseverance, and total dedication to such a scholarly pursuit.

It is important to note that the first edition of this book carried an Introductory Note by Alfred R. Wallace—a big name of those days as a naturalist, explorer, geographer, anthropologist, biologist, and a social reformer, all rolled into one personality of stature. Wallace was a contemporary of Charles Darwin, and his writings provided stimulus to Darwin for his work on evolutionary theory. He is known as father of biogeography. While Wallace became a defender for Darwin's work, *The Origin of Species*, the two scholars differed on the issue of survival.

1. The *jus primae noctis* was, in the late medieval European context, an ancient privilege of the lord of the manor to share the wedding bed with his peasants' brides. Symbolic gestures, reflecting this belief, were developed by the lords and used as humiliating signs of superiority over the dependent peasants in the 15th century, a time of diminishing status differences. It is not known whether actual intercourse occurred in the exercise of the alleged right. However, the symbolic gestures can be best interpreted as a male power display, coercive social dominance, male competition, and male desire for sexual variety. Through a serious library search Westermarck culled out accounts from several non-European cultures of a similar custom related to a young girl's first sexual intercourse: ritual defloration by chiefs, priests or strangers.

Darwin emphasised competition between members of the same species and promulgated the theory of the “survival of the fittest” and “struggle for existence”, while Wallace highlighted the importance of “adaptation” to the environment for survival. Like Darwin, Wallace had also undertaken long voyages to collect specimens of various species. He spent a good deal of time in the Malay Peninsula, and in Brazil. These scientific trips offered him the opportunity to come in contact with the savage cultures as well, and ignited him an interest in anthropology.

Westermarck grew in such an intellectual climate. All scholarly activity was geared towards reconstruction of the history of planet earth—its geology, its flora and fauna—the origin of various species and their development, and the history of mankind and of various civilizations. It is this interest that took scholars to distant lands and exposed them to literature on various societies around the world. Anthropology took birth in such a milieu. As the Science of Man, this discipline was interested in taking a holistic view by treating all aspects of Man—physical, social and cultural. The search of the origin of the biological Man took anthropologists closer to palaeontologists and led to the investigation of fossils. Discovery of abandoned human habitats necessitated study of the leftovers of material culture in the framework of prehistoric archaeology. Visits to the tribal areas sensitized them to the cultural differences and forms of social behaviour, which led some to reconstruct human history in evolutionary terms – placing various societies on a common evolutionary ladder. Westermarck grew in such a milieu.

II

Edward Alexander Westermarck was born on November 20, 1862 in Helsinki, Finland. After graduating from the Swedish Lyceum in 1881, Westermarck entered the University of Helsinki, from where he received his doctoral degree in 1890. By the age of 25, he had learnt English to be able to study the works of Darwin, Morgan, Lubbock, and McLennan in the original language. It is due to this exposure, and particularly the period he spent studying at the British Museum in 1887 that he wrote his dissertation *The Origins of Human Marriage*—the predecessor of this Opus. The instant scientific success of this work motivated Westermarck to devote his entire life to investigating the institution of marriage. He started as a lecturer in Sociology at the University of Helsinki (1890-1906) and then rose to become Professor of Moral and Practical Philosophy at the same university (1906-18). Between 1907 and 1930, he also served intermittently as Professor of Sociology at the University of London. He devoted several summer vacations to his investigations in Morocco. He moved to Turku in 1918, where he acted as Professor of Philosophy and Rector at Åbo Akademi — the Swedish-speaking university of Turku.

After his book on *The Origins of Human Marriage*, Westermarck published a two-volume book on *The Origin And Development Of Moral Ideas* (1906-08), which was an attempt to “scientificize” moral philosophy. He demonstrated that there is no absolute standard in morality. Regarding morality as a social phenomenon, Westermarck argued that moral judgments could be traced “to altruistic and objective feelings of approval and disapproval, according to social rewards”. He was against the view that moral judgments are universal facts or common to all people. They are a product of a long period of development, and ultimately based upon emotions, and vary in different individuals. In 1939, he published another philosophical work, *Christianity and Morals*, in which he opposed the view that the “modern world owes its scientific spirit to the extreme importance which Christianity assigned to the possession of truth, of *the truth*.” He also advocated tolerance towards homosexuality.² This book could not be published in Finnish until 1984, because of its radical views. As an aside, it may be noted that Westermarck himself never married; some people even alleged his homosexual orientation.

Westermarck did intensive fieldwork in Morocco, which he visited several times between the years 1897 and 1904. Based on these field visits he wrote: *Marriage Ceremonies In Morocco* (1914), *Ritual And Belief In Morocco* (1926), and *Wit And Wisdom In Morocco : A Study of Native Proverbs* (1930), and *Pagan Survivals in Mohammedan Civilization* (1933). These works are rich in ethnographic details.

Westermarck died on September 9, 1939, in Tenhola.

So powerful was the impact of Westermarck in intellectual circles that in 1943, his admirers in England founded a Westermarck Society. In Finland, Westermarck’s work influenced a number of scholars—Rafael Karsten, Gunnar Landtman, Hilma Granqvist, Yrjö Hirn, and Rolf Lagerborg, among others. In Bernard Shaw’s play titled *Man and Superman* a character called Violet is presented as a modern, self-conscious woman, who had read Westermarck! Noted French anthropologist Claude Lévi-Strauss considered him “the last and most famous representative of the English Anthropological School; he embodied, with an exceptional, militant power, a current of thought which renewed our social and moral understanding, and out of which grew the first efforts to develop

2. This is what he wrote in the book: “Among mammals the male possesses useless nipples, which occasionally even develop into breasts, and the female possesses a clitoris, which is merely a rudimentary penis, and may also develop. So, too, a homosexual tendency may be regarded as simply the psychical manifestation of special characters of the other sex, susceptible of being evolved under certain circumstances, such as may occur about the age of puberty. Thus the sexual instinct of boys and girls shows plain signs of a homosexual tendency, and is often more or less undifferentiated. When facts of this kind become more commonly known, they can scarcely fail to influence public opinion about homosexuality.”

a comprehensive description of mankind.” Lévi-Strauss, applauded Westermarck for the courage he had shown to contradict the giants of his time in the following manner: “[O]ne can never insist enough on the importance of the step which Westermarck took to free sociology by eliminating the theory of promiscuity, which had been interposed like a distorting filter between primitive psychology and our own”.³

III

The intellectual debate of the Nineteenth Century was characterised by differing emphases on heredity and on environment—not only the physical environment but also the social environment, that is, culture. It is in such a context that Wallace became famous for his essay on “The Origin of the Human Races and the Antiquity of Man”, published in 1864. Wallace did not believe in “Social Darwinism” as he thought that social living makes people very corrupt, and thus natural processes of evolution get disrupted.

For Westermarck—a young and fresh Ph.D.—it must have been an exhilarating feeling that Wallace did the proof reading of his book at the request of the publishers. The publishers also approached Wallace to do the Introduction, which he gladly accepted. Wallace admitted after reading the manuscript that he “...seldom read a more thorough or a more philosophic discussion of some of the most difficult, and at the same time interesting problems of anthropology.” Comparing his work as that of a “hitherto unknown student” with “an array of authority” such as Darwin, Spencer, Morgan, and Lubbock, Wallace recognised the point that the challenges offered to the well-established conclusions of these scholars will have little chance of success. “Yet I venture to anticipate that the verdict of independent thinkers will, on most of these disputed points, be in favour of the newcomer who has so boldly challenged the conclusions of some of our most esteemed writers. Even those whose views are here opposed, will, I think, acknowledge that Mr. Westermarck is a careful investigator and an acute reasoner, and that his arguments as well as his conclusions are worthy of the most careful consideration”.

It must be said that late nineteenth century was the period when Marxism was on ascent as an ideology. It was also the time when evolutionary theories gained currency in the academe. Influenced by evolutionary theory in natural sciences, anthropologists of that era were also engaged in conjecturing about

3. “The work of Edward Westermarck”, translated by A. Stroup & T. Stroup. In Stroup, T., ed. 1982. Edward Westermarck: Essays on His Life and Works. *Acta Philosophica Fennica*, vol. 34. Originally published in *Revue de l'Histoire des Religions* 129, nos. 1 & 2-3 (January-June 1945): 84-100.

the origin of Man and the evolution of social institutions. These theorists regarded monogamy as the trait of the most advanced societies and suggested that this institution evolved from the earliest stage of promiscuity, as was seen apparently among the infra-human animals. Liberal thinkers opposing Marxian theory and predictions were also making important scholarly contributions to present opposing views. Social scientists are all familiar with the work of Max Weber whose writings on religion—Protestant Ethic, or Hinduism -- were, in the main, directed to oppose Marxist assumptions. If the letter 'M' indicated Marxist view, the letter 'W'—obverse of M—represented Weberian stand.

One can put Westermarck's present work in the same terrain. He opposed the view, with remarkable array of documentary evidence and solid logical reasoning, that promiscuity marked the beginnings of Human civilization. Stray instances of superficial promiscuity and some other practices indicative of communal sharing had prompted earlier scholars—such as, Lewis Henry Morgan—to suggest that most primitive societies practised some sort of communism. Those opposing the communist ideology took great pains in contradicting these assertions. We are familiar with Malinowski's work among the Melanesians on *Crime and Custom in Savage Society* in which he demonstrated how the concept of private property worked among the fishermen, and in the *Kula* trade involving a group of tribal societies living in the Pacific islands. Westermarck, similarly, questioned the promiscuity assumption and offered several examples to support his view.

Westermarck emphasised on the biological bases of emotions and of social relations. He took great pains to bring biology and sociology closer. On the one hand, he did intensive fieldwork for a number of years in Morocco—that resulted in a number of significant publications relative to marriage, rituals, and morals; on the other hand, he engaged himself in the task of developing and promoting comparative method in Anthropology, by working at a global level. The holistic approach followed in ethnographic research certainly had its advantages in understanding the culture of the group being studied, but it could not be a substitute for the development of a universally applicable theory of human behaviour. The comparative method provided a way out to develop generalizations at the level of human civilization as a whole. The long Introduction to this set of volumes is devoted to the explication of the comparative method, and it is a must-read. It is a brilliant exposé of all aspects of the methodology of comparative research. No doubt, Westermarck was criticised by his contemporaries for departing from the holistic and microcosmic approach. But he defended his comparative method and suggested combining the best parts of the two traditions in his Huxley Memorial Lecture on "Methods in social anthropology". This Lecture was published in the *Journal of the Royal Anthropological Institute* (Vol. 66; 1936, July-December, pp. 223-48).

While emphasising the value of comparative method, Westermarck did not forget to point out its pitfalls. He was also critical of those who ignored the role of biological factors in social formulations. “It was a great defect of earlier treatises”, he said, “on marriage that the biological aspect of the problem was entirely ignored, and even now it is not sufficiently recognised”. He used the biological dimension in disregarding the theory of promiscuity as the early stage of marriage in terms of a unilinear theory of evolution. Similarly, he advocated restraint in interpreting data. “There is a tendency to assume that similar customs, rites, and practices by different peoples, have their roots in similar ideas, and, although this tendency is easy to explain and very often results in accurate classifications, it is also apt to lead to ill-founded or erroneous conclusions”. He was hinting at the tendency to classify facts under wrong headings “on account of external resemblances with other facts.” One acid test of commonality, according to him, is when “two independent visitors to different countries agree in describing some analogous art or rite or myth among the people they visited.”

Westermarck rigorously employed these criteria in his comparative research on Marriage. His chapters, for example, on Exogamy and Endogamy provide examples from a wide variety of societies and cultures—primitive and modern—to communicate to the reader the range of similarities and differences that exist. Rules governing endogamy operate in several contexts but how they help define the boundaries of caste are so clearly shown that one can easily see the beginnings of a good sociological definition of caste in Westermarck’s writings. He had familiarity with data drawn from various castes and tribes⁴ in India. And his treatment is structural rather than Indological. For students of Caste, I would specifically recommend these chapters.

IV

The fact that this work was done in the early years of the twentieth century does not minimise its importance as a classic even today. The book is an enormous storehouse of information on the institution of marriage. It is a grand illustration of the utility of the comparative method for theory building. With its reprint, it will now be available to the new libraries, and hopefully it would attract new readership.

Yogesh Atal

4. He quotes examples from Gonds, Tottiyans (Tamil cultivators), Todas, Irulas, Bhotias, Nayadis, Koracha, Kappilyans, Kasubas, Madas of Mysore, and Oraons.

PREFACE

During the thirty years which have passed since the publication of the first edition of the present work the study of marriage and matters connected with it, especially among the lower races, has made such progress that I have found it necessary to reconsider the whole subject. Many new facts have been incorporated, and some old ones have been omitted. Various aspects of marriage, which were previously dealt with very inadequately or hardly touched upon, have been discussed at length. Objections raised by critics have been carefully considered. The old theories have been in some cases strengthened but in other cases modified. New theories set forth by other writers have been scrutinised. The matter has in many points been rearranged; and the book has been rewritten throughout to such an extent that very few sentences of the earlier editions have remained unchanged.

Only some of the changes can be here briefly indicated. A new introductory chapter on method, largely dealing with problems of recent growth, has taken the place of the old one. The statements quoted by certain writers as evidence of peoples living in a state of promiscuity have been more carefully examined, and the customs which have been represented as survivals of such a state in the past have been more fully discussed. Thus the subjects of the *jus primae noctis*, religious prostitution, and the lending or exchange of wives now occupy sixty-nine pages instead of nine. In the treatment of the classificatory system of relationship the recent contributions to the subject, which largely tend to confirm my old views, have been taken notice of. In the discussion of the marriage age and certain other matters more attention has been paid to the laws of civilised countries. Religious celibacy and sexual modesty have each got a special chapter. The origin of female coyness has been discussed. With reference to the secondary sexual characters a suggestion has been made which, if correct, brings the sexual colours, odours, and sounds of animals into the closest possible analogy with the colours and odours of the flowers of plants. In the chapters on primitive means of attraction the older theories, though in some measure supported by new evidence, have in certain points been modified in accordance with the results of later research. A more thorough investigation of the exogamous rules has confirmed my belief in the substantial accuracy of my earlier theory as to their origin; and I hope that the restatement of it, in which the objections of critics have been taken into consideration, has made it more acceptable. The chapters on marriage by capture and marriage by consideration, together with kindred subjects, contain copious additions and changes.

The extremely defective treatment of marriage rites, which covered thirteen pages only, has been replaced by three chapters of more than twelve times that length; but for a study of the marriage ritual as a sequence I must refer the reader to my book *Marriage Ceremonies in Morocco*. In the course of my six years' research in Morocco, and through books like *The Mystic Rose* and *The Golden Bough*, I have become aware of the enormous influence of magical beliefs on marriage rites; whereas the value of these rites for the study of earlier forms of marriage now seems to me to be even less than I thought before. I am grateful to the distinguished reviewer of the first edition of this work who expressed the belief that if its author had been a student of folklore he would in various cases have arrived at different conclusions. It drew my attention to a defect which I have since then endeavoured to remedy; but my conceptions of the earlier history of marriage have not been essentially changed thereby.

In my discussion of monogamy and polygyny, and in many other sections of the book as well, I have considered the influence which economic conditions have exercised upon marriage, a point which was also greatly neglected in the earlier editions. Polyandry, which was dealt with on a few pages, now forms the subject-matter of two whole chapters; and the question of group-marriage, which of late has much occupied the minds of sociologists, has been discussed in a chapter by itself. The treatment of divorce is much more detailed, both as regards the history of the subject and the present legislation on it. The list of authorities quoted has increased from thirty pages to over a hundred; and the work as a whole has been expanded from one volume into Six. In short, it is a new work much rather than a new edition.

At the same time, amidst all the changes, the general character, as well as the structure, of the book has remained unchanged. The criticism passed on it has not essentially affected either its method or its fundamental ideas. This may perhaps be due to the fact that, although I opposed many theories in vogue at the time when the book was first written and the method which had led to them, my decision to write it did not spring from a desire for opposition. On the contrary, I commenced my work as a faithful adherent of the theory of primitive promiscuity and tried to discover fresh evidence for it in customs which I thought might be interpreted as survivals from a time when individual marriage did not exist. I had not proceeded far, however, when I found that I was on the wrong track. I perceived that marriage must primarily be studied in its connection with biological conditions, and that the tendency to interpret all sorts of customs as social survivals, without a careful examination into their existing environment, is apt to lead to the most arbitrary conclusions. Later treatises on the subject have only confirmed this conviction; and the present revival of the old method is not, in my opinion, likely to yield lasting results.

I am indebted to the Press and public both in this country and elsewhere for the encouraging interest they have taken during all these years in the work of my youth; to the earlier translations of it have been added subsequent ones into Spanish and Japanese. I am again under obligation to friends and correspondents for valuable advice and information. The largest part of the material has been collected in the Reading Room of the British Museum, and I take this opportunity to thank its officials for their unfailing courtesy.

Woodman's Cottage,
Boxhill, Surrey

E.W.

PREFACE TO THE FIRST EDITION

I need scarcely say how fully I appreciate the honour of being introduced to English readers by Mr. Alfred R. Wallace. I am also greatly obliged for his kindness in reading the proofs, and in giving me the benefit of his advice with regard to various parts of the subject.

It is difficult for me to acknowledge sufficiently my obligations to Mr. James Sime for his assistance in preparing this book for the press. The work, as originally written, naturally contained a good many foreign modes of expression. Mr. Sime has been indefatigable in helping me to improve the form of the text; and, in our discussions on the main lines of the argument, he has made several important suggestions. I am sincerely obliged for the invaluable aid he has given me.

My cordial thanks are due to Mr. Charles J. Cooke, British Vice-Consul at Helsingfors, who most kindly aided me in writing the first part of the book in a tongue which is not my own. I am indebted also to Dr. E. B. Tylor, Professor G. Croom Robertson, Mr. James Sully, and Dr. W. C. Coupland for much encouraging interest; to Mr. Joseph Jacobs for the readiness with which he has placed at my disposal some results of his own researches; and to several gentlemen in different parts of the world who have been so good as to respond to my inquiries as to their personal observation of various classes of phenomena connected with marriage among savage tribes. The information I have received from them is acknowledged in the passages in which it is used.

A list of authorities is given at the end of the book—between the text and the index,—and it may be well to add that the references in the notes have been carefully verified.

PREFACE TO THE SECOND EDITION

In this new edition of my book I have made no essential changes, but here and there the argument has been strengthened by the addition of facts which have come to my knowledge since the appearance of the first edition. The most important of these new facts will be found in the second chapter.

I take this opportunity of expressing my warm appreciation of the thorough way in which the ideas set forth in this book have been discussed by many critics in England and elsewhere. Translations of the work have appeared, or are about to appear, in German, Swedish, French, Italian, and Russian.

London, January 1894

E.W.

PREFACE TO THE THIRD EDITION

I much regret that the demand for a new edition of this book should come at a time when circumstances prevent me from undertaking such a revision of the work as I feel to be required. Since the appearance of the Second Edition many important facts bearing upon the subject have been brought to light, new theories have been advanced, and old theories, supported by fresh arguments, have been revived. To all this, however, I can do no justice, as I am at present being engaged in anthropological research in Morocco. This edition is, in consequence, a mere reprint of the second. But I purpose, after my return to Europe, to issue an Appendix, in which the book will be brought more up to date and some criticism will be replied to.

Mogador (Morocco)
August 1901

E.W.

INTRODUCTORY NOTE TO THE FIRST EDITION

ALFRED R. WALLACE

Having read the proofs of Mr. Westermarck's book I am asked by the publishers to say a few words by way of introducing the work to English readers. This I have great pleasure in doing, because I have seldom read a more thorough or a more philosophic discussion of some of the most difficult, and at the same time interesting, problems of anthropology.

The origin and development of human marriage have been discussed by such eminent writers as Darwin, Spencer, Morgan, Lubbock, and many others. On some of the more important questions involved in it all these writers are in general accord, and this agreement has led to their opinions being widely accepted as if they were well-established conclusions of science. But on several of these points Mr. Westermarck has arrived at different, and sometimes diametrically opposite, conclusions, and he has done so after a most complete and painstaking investigation of all the available facts.

With such an array of authority on the one side and a hitherto unknown student on the other, it will certainly be thought that all the probabilities are against the latter. Yet I venture to anticipate that the verdict of independent thinkers will, on most of these disputed points, be in favour of the new comer who has so boldly challenged the conclusions of some of our most esteemed writers. Even those whose views are here opposed, will, I think, acknowledge that Mr. Westermarck is a careful investigator and an acute reasoner, and that his arguments as well as his conclusions are worthy of the most careful consideration.

I would also call attention to his ingenious and philosophical explanation of the repugnance to marriage between near relatives which is so very general both among savage and civilised man, and as to the causes of which there has been great diversity of opinion; and to his valuable suggestions on the general question of sexual selection, in which he furnishes an original argument against Darwin's views on the point, differing somewhat from my own though in general harmony with it.

Every reader of the work will admire its clearness of style, and the wonderful command of what is to the author a foreign language.

Publisher's Note

It is our great pleasure to publish *The History of Human Marriage* in six volumes. Written by well known Finnish anthropologist Edward Westermarck, it first appeared in 1891. Subsequently, the book had gone five printings. But for a long time it was out of print.

The book provides encyclopaedic information on the institution of marriage. It deals not only with marriage, in a narrow sense of the term, but every aspect of heterosexuality—celibacy, incest, promiscuity, premarital sex, religious prostitution, monogamy and polygamy. It is a grand illustration of the utility of the comparative method for theory building. It also has a new Introduction written by India's highly acclaimed social scientist, Prof. Yogesh Atal, who retired as the Principal Director of UNESCO with its reprint, we hope, it will serve the scholarly world.

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THE HISTORY OF HUMAN MARRIAGE

INTRODUCTION

ON THE METHOD OF INVESTIGATION

THE method followed in the present work is the comparative method, which for half a century has been dominant among British students of social anthropology. When applied to the study of human civilisation, this method starts from the fact that there are great similarities between the products of culture—such as implements, weapons, objects of art, customs, institutions, and beliefs—among different peoples in different countries. Weapons, for example, are classed under spear, club, sling, bow and arrow, and so forth. Myths are divided under such headings as myths of sunrise and sunset, eclipse-myths, earthquake-myths, and local myths which account for the names of places by some fanciful tale. Under religious beliefs and practices there are animism, totemism, ancestor-worship, polytheism, monotheism. Under institutions occur, for instance, marriage, clanship, chieftainship, slavery; and under each heading there are sub-headings, like marriage by consideration, monogamy, polygyny, polyandry, group-marriage. These classifications of the various details of culture, as Tylor remarks, may be compared with the species of plants and animals as studied

by the naturalist. "To the ethnographer, the bow and arrow is a species, the habit of flattening children's skulls is a species, the practice of reckoning numbers by tens is a species. The geographical distribution of these things, and their transmission from region to region, have to be studied as the naturalist studies the geography of his botanical and zoological species."¹ And the same is true of social institutions and their various aspects.

But the task of comparative sociology is not restricted to that of classifying the different phenomena of culture with a view to making out their distribution in geography and history. Its ultimate object is, of course, the same as that of every other science, namely, to explain the facts with which it is concerned, to give an answer to the question, Why? Hence, when similar customs, beliefs, legends, or arts, are found among different peoples, the question arises how the similarity is to be accounted for. In answer to this question Tylor made the following general statement:—"Sometimes it may be ascribed to the like working of men's minds under like conditions, and sometimes it is a proof of blood relationship or of intercourse, direct or indirect, between the races among whom it is found."² Sir James G. Frazer likewise speaks of "the essential similarity in the working of the less developed human mind among all races, which corresponds to the essential similarity in their bodily frame revealed by comparative anatomy. But," he adds, "while this general mental similarity may, I believe, be taken as established, we must always be on our guard against tracing to it a multitude of particular resemblances which may be and often are due to simple diffusion, since nothing is more certain than that the various races of men have borrowed from each other many of their arts and crafts, their ideas, customs, and institutions."³ I quote these statements in reply to the charge made in a Presidential Address to the Anthropological Section of the British Association a few years ago, that where similarities are found in different

¹ Tylor, *Primitive Culture*, i. 7 sq.

² *Idem*, *Researches into the Early History of Mankind*, p. 5.

³ Frazer, *Balder the Beautiful*, vol. i. p. vi. sq.

parts of the world it is assumed by the leading school of British anthropologists, "almost as an axiom, that they are due to independent origin and development."¹ So little is this charge in accordance with facts that Tylor, in his pioneer work 'Researches into the Early History of Mankind,' found it hard to account for the occurrence in so many distant times and places of customs like the cure by sucking and the couvade, and of superstitions like those connected with sneezing, "on any other hypothesis than that of deep-lying connections by blood or intercourse, among races which history, and even philology, only know as isolated sections of the population of the world."²

It is, no doubt, true that the question whether a certain custom or institution has sprung up spontaneously among the people or tribe practising it, or whether it has been introduced from some other people or tribe, is seldom discussed in comparative treatises. But this by no means implies the assumption of independent origins; on the contrary, when the custom or institution occurs among related or neighbouring peoples, there is, at least in many cases, a tendency almost to take for granted that it has been derived from a common source in the different cases—that its prevalence is due either to a common descent or to social intercourse. One reason why the question of transmission is not more frequently discussed is the lack of evidence in the case of peoples whose history is unknown to us. Tylor justly spoke of "the constant difficulty in deciding whether any particular development is due to independent invention, or to transmission from some other people to those among whom it is found";³ and this difficulty has certainly not been removed by later investigations. Dr. Graebner lays down two main criteria which, he thinks, enable us to trace similar culture-phenomena to a common source: first, the criterion of form, as he calls it, that is, correspondence of qualities not inherent to the nature of the object, and secondly, that of

¹ Rivers, *British Association for the Advancement of Science. Portsmouth, 1911. Address to the Anthropological Section*, p. 2.

² Tylor, *Researches, etc.*, p. 373 sq.

³ *Ibid.* p. 373.

quantitative correspondence, that is, the coincidence of several phenomena between which there is no necessary and intrinsic connection.¹ But when customs are concerned, it may be doubted whether either criterion is, generally, sufficient to save the conclusion from being much more than a mere guess, unless the peoples in question belong to the same race or may on linguistic, historical, or geographical grounds be supposed to have had contact with each other. And even in such cases it may often be difficult or impossible to decide with certainty whether similar customs have a common origin or not. Dr. Graebner himself admits that it is possible, although not proved, that identical customs grow up independently among peoples in different parts of the world; if so, it is obviously also possible that identical customs grow up independently among peoples who are of the same stock or have come into contact with one another. Indeed, the more similar two peoples are, the greater is the probability that also new details in their culture should resemble each other; from seeds of the same kind very similar plants spring up. If the custom of providing a bride with a marriage portion is found among different Indo-European peoples, we are not therefore entitled to assume that this custom is either an inheritance from the primitive Indo-European period or has in historical times been adopted by one people from the other. And if marriage by purchase is found among two unrelated neighbouring tribes, it is by no means certain that one of them has borrowed this custom from the other, however many coincidences there may be in their culture.

It is strange that the method of the modern German school, which is so unfriendly to the idea of independent origins and "in every case where British anthropologists see evolution, either in the forms of material objects or in social and religious institutions, . . . sees only the evidence of mixture of cultures"—that this very method should itself have independently originated in two countries the peoples of which are partly of the same race and have had culture-contact also in later days. Dr. Rivers says, "I

¹ Graebner, *Methode der Ethnologie*, p. 108 sqq.

have been led quite independently to much the same general position as that of the German school by the results of my own work in Oceania.”¹ If customs and institutions and ideas could speak, they might also perhaps be justified in defending themselves against the suspicion of being mere borrowings. To this Dr. Graebner would say, as he has indeed said in a general way, that in cases of parallelism we must not apply European evidence to savages, who almost entirely lack “the conscious endeavour after further development.”² It seems as though he regarded the customs of savages as almost unchangeable, unless subject to influences from without. But there is sufficient proof that they are not so.

Among the Central Australians, for instance, changes in aboriginal custom take place from time to time, and Messrs. Spencer and Gillen are of opinion that these changes are in part due to the influence of individuals of superior ability. They write, “After carefully watching the natives during the performance of their ceremonies and endeavouring as best as we could to enter into their feelings, to think as they did, and to become for the time being one of themselves, we came to the conclusion that if one or two of the most powerful men settled upon the advisability of introducing some change, even an important one, it would be quite possible for this to be agreed upon and carried out.”³ Dr. Landtman tells me that during his stay among the Kiwai-speaking people of New Guinea he was struck by the fluctuations of their habits and customs independently of all foreign influence. The funeral customs, for instance, have greatly changed within the memory of the present generation in a manner which, partly at least, excludes the possibility of influence either from neighbouring tribes or from the whites. Indeed, do not the frequent variations of custom in neighbouring related tribes, or within the same tribe, by themselves show that the customs of a people are subject to spontaneous changes also at the lower stages of culture?

¹ Rivers, *op. cit.* p. 3.

² Graebner, *op. cit.* p. 114.

³ Spencer and Gillen, *Native Tribes of Central Australia*, p. 12 sqq.

And if this is the case, it is only natural that the changes often should lead to similar results in different instances. For the possibilities in cultural development are always limited, and often limited in a very high degree. For example, it is necessary that the bodies of the dead should be disposed of in some way or other, and there are not many methods to choose between; hence the same method *must* be in use among different peoples, quite independently of any culture-contact.

For my own part, I cannot find that there is any reasonable ground for quarrelling between the ethnological school, which particularly studies the influence that one people has exercised upon another owing to contact of their cultures, and the evolutionary school; their subjects of investigation differ, and therefore also their methods. Both schools deal with resemblances of culture-phenomena; but whilst the evolutionary school chiefly endeavours to find the psychological and sociological origin of these phenomena, the ethnological school is concerned with their wanderings. The two kinds of investigation supplement each other, and their results should exercise a wholesome influence on each other; but they cannot replace each other. To regard the ethnological analysis of culture-relations as the chief task of the history of civilisation—as some German scholars do¹—is to deprive this science of its loftiest aims and also to disregard many of its most important achievements. It should be remembered that even when the historical connection between customs found among different peoples has been well-established, the real origin of the customs has not been explained thereby. It is not a sufficient explanation of a custom to say that it has been derived from ancestors or borrowed from neighbours. This only raises the question how it originated among those who first practised it; for a custom must have had a beginning. It is with questions of this sort that the evolutionary school of sociologists have pre-eminently occupied

¹ Graebner, *op. cit.* p. 107: "So bleibt denn als erstes und Grundproblem der Ethnologie wie der ganzen Kulturgeschichte die Herausarbeitung der Kulturbeziehungen."

themselves. And their comparative method has greatly helped them in their task.

The simultaneous occurrence of certain social phenomena in many different groups of people may prove that there is a causal connection between them, though no such connection is proved by their simultaneous occurrence in a single group. It was this fact that led Tylor to his statistical method of investigating the development of institutions.¹ Moreover, a comparison of the circumstances in which a custom is practised by different peoples may lead to the discovery of the motive underlying it. For example, a comparative study of the practice of human sacrifice shows that human victims are frequently offered in war, before a battle, or during a siege; for the purpose of stopping or preventing epidemics; in order to put an end to a devastating famine; when the earth fails to supply the people with water; with a view to averting perils arising from the sea or from rivers; and for the purpose of preventing the death of some particular individual, especially a chief or a king. And from these facts we are justified in drawing the conclusion that human sacrifice is, largely at least, a method of life-insurance, based upon the idea of substitution; whilst the famine-sacrifice and the principle underlying it lead to the supposition that the frequent custom of securing good crops by means of such a sacrifice, even when there is no famine, may also be traced to the same principle, especially as there are obvious links between this custom and the actual famine-sacrifice.² Very frequently the knowledge of the cause of a certain custom found among one people helps us to understand the meaning of the same, or more or less similar, customs among other peoples. Little details which by themselves would hardly attract our attention may, when viewed in the light of the comparative method, become conclusive evidence or, in other cases, lead to valuable suggestions, some of which may be within

¹ Tylor, 'On a Method of investigating the Development of Institutions,' in *Jour. Anthr. Inst.* xviii. 245 sqq.

² See Westermarck, *Origin and Development of the Moral Ideas*, i. 440 sqq.

the range of future confirmation. In this way the customs and institutions of savages have thrown rays of light on the early history of civilised nations.

The endeavour of the evolutionary school to discover the psychical causes of social phenomena, however, has of late been subject to criticism. Dr. Rivers writes, "The proper task of the sociologist is the study of the correlation of social phenomena with other social phenomena, and the reference of the facts of social life to social antecedents, and only when this has been done, or at any rate when this process has made far greater advances than at present, will it be profitable to endeavour to explain the course of social life by psychological processes."¹ At present sociology and social psychology should, so far as possible, be treated as if they were independent disciplines, because each of them is liable to make assumptions, belonging to the other science, which are readily mistaken for explanations. But through "pure" sociology we may ultimately hope to attain knowledge of social psychology, though this channel must be long and tortuous. The question why such a course should be necessary, and why we cannot follow the more obvious way of inquiring directly into the motives which actuate the conduct of men as members of society, is answered by Dr. Rivers as follows:—"Among the people whose social conduct has been the special object of my own investigations, there is no more difficult task than that of discovering the motives which lead them to perform social actions. There is no more depressing and apparently hopeless task than that of trying to discover why people perform rites and ceremonies and conform to the social customs of their community." Moreover, it has been gradually recognised "that social conduct is not directed by intellectual motives, but, predominantly, often it would seem exclusively, by sentiments or even instincts," and "no mental states are more difficult to introspect than emotions and sentiments, to say nothing of instincts."²

¹ Rivers, 'Survival in Sociology,' in *Sociological Review*, vi. 304.

² *Idem*, 'Sociology and Psychology,' in *Sociological Review*, ix 3, 10 sq.

For the present, then, we should, on this principle, carefully refrain from assuming, for example, that courtship and marriage have anything to do with the sexual instinct, that the retaliation of adultery springs from jealousy and revenge,¹ that the secrecy observed in the performance of the sexual function is connected with sexual modesty. We should refrain from trying to find any motives for the practice of polygyny, the prohibition of incest, the various marriage rites, and so forth. We should only correlate these phenomena with other social phenomena or refer them to social antecedents. Dr. Rivers says, in fact, that it would be possible "to write volumes on that group of social processes which we sum up under the term 'marriage,' without the use of a single psychological term referring to instincts, emotions, sentiments, ideas or beliefs," and that such a treatment of marriage would nevertheless be "capable of producing valuable contributions to our knowledge."² After those volumes had been written we might perhaps be allowed to consider that people not only marry but fall in love, and that the marriage customs are not merely muscular movements standing in relations to other muscular movements, but that they are actuated by intentions and motives. I should not be surprised, however, if social psychology, when at last permitted to speak, should raise violent objections to many of the classifications and conclusions made by "pure" sociology. For it seems to me that "pure" sociology is liable to commit the most fatal mistakes by detaching social phenomena from their motive powers and treating them as mechanical processes, just as if men as members of society were a sort of automata.

From Dr. Rivers' own constructive works and his article on 'Survival in Sociology' it appears that he thinks of the study of organised social processes in their relations in time largely as a study of social survivals. But what knowledge of the past can be expected from the interpretation of a social process as a survival, if no notice is taken of the mental

¹ Dr. Rivers actually blames me for assuming that the blood-feud is due to the feeling of revenge (*ibid.* p. 4 *sqq.*).

² *Ibid.* p. 2.

aspect of social conduct? Dr. Rivers regards a custom as a survival "if its nature cannot be explained by its present utility but only becomes intelligible through its past history."¹ I presume that utility here means supposed utility, since a custom can be quite intelligible through existing conditions if it is merely regarded as useful by those who practise it. Before a custom is pronounced a survival it is thus necessary to examine whether it can be explained by present conditions or not, and to these conditions obviously belong the feelings and ideas of those who practise it. It is just the neglect of making such an examination that is responsible for many of those arbitrary and unscientific conclusions in which the study of early history abounds. Customs have been interpreted as surviving traces of other, hypothetical, customs in the past, simply because there is some external resemblance, often of the most superficial character, between them, or because they seem to be possible ingredients or consequences of such customs. The reader will find numerous instances of this in the present work, for example in the chapters on the theory of promiscuity, sexual modesty, and marriage by capture. I had hoped that such purely sociological interpretations were, on the whole, things of the past, and find it truly alarming to hear from one who may almost be regarded as the leader of a new school in sociology in this country that social phenomena should be referred to social antecedents before any attempt is made to examine the psychological processes underlying them.

It is strange that this extraordinary faith in sociological explanations should be coupled with an equally extreme distrust in our capacity of learning the motives by which social conduct is determined. The mental constitution of men is, in spite of all racial and individual differences, essentially similar everywhere. This is implied in the fact that they are members of the human species and is confirmed by their external behaviour. It is true that the more different people are from ourselves, and the less we know them, the more difficult it is for us to know the motives for their actions; and to understand them in every detail is beyond

¹ Rivers, in *Sociological Review*, vi. 295.

our power. But the mental facts that lead to the customs of peoples are not of a very subtle character. They are general instincts, sentiments, or emotions, or particular ideas, which, if still prevailing, ought to be accessible to a penetrating inquiry. Dr. Rivers maintains that the apparently hopeless task of trying to discover why people perform rites and ceremonies is partly due to the abstract nature of such inquiries: "directly one approaches the underlying meaning of rite or custom . . . one meets only with uncertainty and vagueness unless, as is most frequently the case, the people are wholly satisfied with the position that they are acting as their fathers have done before them."¹ So far as my own experience goes, this is true of some cases but not of others, in which most valuable information has been obtained from the natives themselves.² Their explanations are not always alike, and the reason for this is probably that the real origin of the rite has been partly or wholly forgotten and a new interpretation substituted for the idea from which it rose. This, however, should not make the field-ethnologist less eager to find out the present meaning attached to the facts he records; for whether or no it be the original meaning, it gives us in any case some insight into the ideas of existing people, and these are by themselves important subjects of inquiry. But the direct inquiry into motives is not the only way in which they may be ascertained: excellent information may be obtained from the words by which ceremonies are accompanied,³

¹ *Idem*, in *Sociological Review*, ix. 10.

² See my *Marriage Ceremonies in Morocco; Ceremonies and Beliefs connected with Agriculture, certain Dates of the Solar Year, and the Weather in Morocco* (*Öfversigt af Finska Vetenskaps-Societetens Förhandlingar*. Bd. LIV. 1911-1912. Afd. B. N:o 1); *The Moorish Conception of Holiness (Baraka)* (*Öfversigt, etc.* Bd. LVIII. 1915-1916. Afd. B. N:o 1); *The Belief in Spirits in Morocco* (*Acta Academiae Aboensis. Humaniora*, I:1); 'The Popular Ritual of the Great Feast in Morocco,' in *Folk-Lore*, xxii.

³ It was, for example, partly in this way that I found the meaning attached to the fire-ceremonies at Midsummer or on other occasions in Morocco ('Midsummer Customs in Morocco,' in *Folk-Lore*, xvi; *Ceremonies and Beliefs connected with Agriculture, etc.*), which led Frazer to revise his views on the European fire-festivals (see his *Balder the Beautiful*, vol. i. p. vii. sq.).

and from comparisons between the circumstances in which more or less similar rites or practices are performed, combined with a solid knowledge of native ways of thinking. Such a knowledge, however, presupposes a protracted stay among the people whose customs are investigated and familiarity with their language. To acknowledge and emphasise the need of field-ethnologists who fulfil these requirements would, in my opinion, be of greater service to sociology than to give up as hopeless the endeavour to discover the sources of social action. Even where the meaning of a custom is obscure or lost, the field-ethnologist's knowledge of the native mind and its modes of thinking and feeling ought to enable him to make valuable conjectures. Hence I thoroughly disagree with the principle which I once heard expressed by the reader of a paper on some savage tribes at a meeting of the Royal Anthropological Institute, that the field-anthropologist should only aim at collecting facts and leave it to the anthropologists at home to explain them.

Many of the psychological explanations of social phenomena must of course be more or less hypothetical; but this is no reason why they should not be sought for. Hypotheses are no more foreign to the ethnological school, which is concerned with the mixture of cultures, than to the evolutionary school; I know of no work which is more profuse of conjectures than Dr Rivers' 'History of Melanesian Society.' It is in innumerable instances much easier to find the psychological origin of a custom or rite than to decide if and how it has come into existence as the result of the contact or blending of peoples. Who would doubt that water-ceremonies performed for the purpose of producing rain are due to the law of association of ideas by similarity? But who would dare to trace their wanderings?

An objection frequently offered to the comparative method is that the use of this method is hardly compatible with a sufficiently careful scrutiny of authorities and sources. There is undoubtedly some truth in this. Every sociologist who has made use of it on a large scale has good reason to cry *peccavi*, and even he who merely deals with some special

group of kindred phenomena has rarely the same opportunity as the writer of a monograph on a certain people to subject his facts to a searching criticism. In the earlier editions of the present work I emphasised that, "as the sociologist is in many cases unable to distinguish falsehood from truth, he must be prepared to admit the inaccuracy of some of the statements he quotes"; and I cannot possibly conceive how Dr. Graebner has been able to construe this admission into an attempt on my part to make a virtue of necessity.¹ In fact, I think that a similar admission might be reasonably expected also from sociologists of other schools. It is often simply impossible for the most scrutinising critic to decide whether a certain statement is accurate or not, and it may even be difficult to form a just idea of the general trustworthiness of an ethnographical author. Dr. Graebner, for example, considers Curr's 'The Australian Race' to be so worthless a book that he blames me for quoting it; ² whereas Dr. Malinowski, who in his monograph 'The Family among the Australian Aborigines' has sifted his material with the greatest possible care, maintains that Curr had especially good opportunities for observation,³ and often refers to him.

Generally speaking, I must confess that I have become more distrustful of ethnographical evidence the longer I have myself been in the field. In my own field-work I made it long ago a stringent rule never to accept information given by anybody but a native of the country, because I found that the statements of European residents are very frequently lacking in accuracy. I further made it a rule never to use information given me about a tribe by members of other tribes, without specially mentioning the more or less unauthoritative character of the statement. I am also somewhat suspicious of that, fortunately insignificant, portion of my material which I collected before I could freely converse with the natives without the aid of an

¹ Graebner, *op. cit.* p. 38 n. 2.

² *Ibid.* p. 38 n. 2.

³ Malinowski, *The Family among the Australian Aborigines*, p. 22 sq.

interpreter, although my interpreter was a very intelligent and absolutely trustworthy native, with a remarkable command of English who accompanied me on all my journeys in Morocco. For I have come to the conclusion that even the best interpreter is apt to omit details which, though apparently trivial, may be of the greatest importance for a right understanding of the custom or belief in question, or to let his attention slacken for a moment, or to give an inaccurate meaning to expressions which baffle all direct translation. I, moreover, made it an invariable habit to repeat to my informants in full their statements so as to avoid all misunderstanding, and occasionally tested their accuracy and attention by deliberately misrepresenting their statements ; and all this could hardly be equally well done through the medium of an interpreter. Now, I cannot say that my standard of trustworthiness is exactly the same when I am using other people's materials as when I am collecting my own. It could not be the same, considering how extremely seldom a field-anthropologist lets his readers know minutely how he has obtained his information. But nobody can deny that there is in the comparative method itself a test which, if carefully applied, gives the investigator some confidence in his facts, namely, the test of recurrence. As Tylor puts it, " if two independent visitors to different countries, say a mediæval Mohammedan in Tartary and a modern Englishman in Dahome, or a Jesuit missionary in Brazil and a Wesleyan in the Fiji Islands, agree in describing some analogous art or rite or myth among the people they have visited, it becomes difficult or impossible to set down such correspondence to accident or wilful fraud."¹

A common complaint against the comparative method is that it detaches the cultural phenomenon from the organic whole of which it forms a part and thereby easily represents it in a wrong light. Customs and beliefs are not the property of individuals but belong to the whole social group among which they are found : they express its whole corporate soul-life. Hence, it is said, they cannot be explained by the psychology of the individual, but must, in order to be under-

¹ Tylor, *Primitive Culture*, i. 9.

stood, be viewed in the light of the culture and social structure of the group concerned, instead of being abstracted from their social context and classed together with customs or beliefs of other groups. In this argument, also, there is, I think, a great deal of truth, as well as exaggeration. I have myself ¹ expressed the opinion that, so far as the lower stages of civilisation are concerned, there are, next to sociological field-work, no other investigations so urgently needed as monographs on some definite class of social phenomena or institutions among a certain group of related tribes—just because social phenomena are not isolated phenomena but largely influenced by local conditions, by the physical environment, by the circumstances in which the people in question live, by their habits and mental characteristics. All these factors can much more easily be taken into account when the investigation is confined to a single people or one ethnic unit than when it embraces a social institution as it exists throughout the whole uncivilised world.

I presume that most books in which the comparative method is followed contain facts which have been classified under wrong headings on account of external resemblances with other facts. There is a tendency to assume that similar customs and rites, practised by different peoples, have their roots in similar ideas, and, although this tendency is easy to explain and very often results in accurate classifications, it is also apt to lead to ill-founded or erroneous conclusions. So far as ceremonies are concerned, it should be remembered that, especially among simple peoples, the means of expressing ideas in actions are so limited that the same kind of activity, or the making use of similar objects, may frequently have a different meaning in different cases. To take an instance from rites practised at weddings: the eggs so commonly used on these occasions are sometimes said to promote fecundity (on account of physiological connections), sometimes to give good luck or make the weather fine (on account of their white colour), sometimes to secure the

¹ In my 'Prefatory Note' to *The Tribes, and Inter-tribal Relations in Australia*, by G. C. Wheeler, p. v. sq.

consummation of the marriage (on account of the fragility of their shells), sometimes to facilitate delivery ; and it is quite possible that all these various interpretations represent original motives or parts of a mixed motive. Instances of mistaken classification might no doubt be quoted from my own writings (and will probably be found in the present work also) ; but as it is more agreeable to find fault with others than with one's self, I shall choose an example from the investigations of an esteemed colleague.

In his book ' Primitive Paternity,' Dr. Hartland shows that in various countries bathing is practised as a method of obtaining children, and he traces this practice to an ancient belief " that pregnancy was caused otherwise than by sexual intercourse." In support of this view he quotes, besides many other facts, a statement of mine referring to a tribe in Southern Morocco.¹ It is there the custom for a married woman who is anxious to know if she will be blessed with a child or not to go to the sea-shore on Midsummer Day, and on the two following days as well, and let seven waves go over her body ; then she knows that if she does not get a child soon she will have none at all. In this case magic has dwindled into divination, as is obvious from a similar custom practised in another tribe in Morocco, where the young wife goes to the sea on the fortieth day after her arrival at her new home, and, while the seven waves are going over her body, says to the sea, " O my uncle the Sea, I am troubled with spirits, give me children and health." Now these facts can by no means serve as evidence for a theory of primitive paternity. In Morocco, at least, the effect which water is held to have upon fecundity is only indirect, that is, it is supposed to remove the evil influences which cause sterility, as appears from the idea that an infertile woman or animal is troubled with evil spirits and from the fact that the very same procedure as is adopted as a cure for barrenness is also supposed to remove or prevent sickness or misfortune in general. But in extenuation of Dr. Hartland's guilt it should be added that, in the article of mine from which he made his quotation, I had not expressly

¹ Hartland, *Primitive Paternity*, i. 80.

mentioned the Moorish view of sterility. This case may be considered typical. The mistakes made by sociologists of the school following the comparative method, when they detach facts from their environment and interpret them in their own ways, are largely due to the incompleteness of their sources. Hence one of the chief defects of their method may be considerably reduced by the strenuous efforts of field-workers to collect not only external facts but to enter into the thoughts and feelings of the people they investigate, as also by monographs of the kind already mentioned.

There is no real opposition between the study of a cultural phenomenon as it is distributed among different races and the study of it which is restricted to a particular ethnic group. Here again the methods differ simply because the subjects differ. But the two kinds of investigation complement each other. Whilst the student of a custom or institution in its generality must be grateful to the specialist who provides him with the results of his detailed research, the comparative treatment, which in the first place bears out general resemblances, often helps the specialist to explain facts which he could hardly understand in full if his knowledge were restricted to a limited area. It is easy to criticise the comparative method in the point we are now considering, but it is impossible for any modern student of human civilisation to ignore its results. The writings of Professor Durkheim and his disciples are thoroughly pervaded by the teachings of the very school whose method they have so severely criticised. Does not this show that there must be exaggeration in their criticism? They have not sufficiently considered an extremely simple but extremely important fact, namely, that all the different ethnic groups belong to the same animal species and therefore must present resemblances which have a deeper foundation than all differences which are the effects of the social environment. How could we disclose these resemblances in any other way than by comparison? How could we otherwise distinguish that which is local from that which is general? Nay, how could we fully explain the social environment itself without

taking into account the mental characteristics of the human species? I think there is sufficient evidence to show that innumerable customs and beliefs are not so closely interwoven with the social tissue that they cannot, with due precaution, be abstracted from it for the sake of comparison. And in any case we may expect to find a specifically human element mingled with local peculiarities.

But if the French sociologists—I except of course M. van Gennep, who does not belong to the school of Durkheim—have underrated the homogeneous elements of the human mind, I think they have, on the other hand, somewhat overrated the homogeneity of the group-mind. That the minds of the people are profoundly influenced by the fact that they live and act together is a truth which nobody doubts. We implicitly recognise this when we speak of the customs, beliefs, or religion of a people—expressions which are much older than Bastian's *Völkergedanke*. But we must not forget that the homogeneity of thoughts and actions inside a society is not absolute. This is true not only of civilised men but, in some degree, also of savages. Dr. K. Donner points out that among the Samoyed the religious beliefs and the ideas relating to the soul's fate after death vary considerably in different individuals;¹ and, with special reference to ideas of the latter kind, he tells me that this is the case even in a small tribe consisting of some five or six hundred individuals. One man gave him a minute description of the other world which was based upon his own experience of it in a dream. Dr. Landtman, again, informs me that the Kiwai-speaking Papuans often drew his attention to the differences of habits, not only within different groups of the same tribe or village, but even in the case of different individuals. A native said to him, for instance, "One man has one method of catching the dugong, another man has another method." Among their ceremonies there are such as are common to the whole tribe, but there are many others, referring to agriculture, hunting, or other occupations, that are practised only by

¹ Donner, *Bland Samojeder i Sibirien*, p. 119 sq.

members of the same family or by single individuals who have directly or indirectly learnt them from some spirit or ghost appearing in a dream. Dr. Landtman maintains that it is hardly possible to distinguish in every case between practices and beliefs which are general and such as are individual. Considering that distinctions of this sort are not generally found in anthropological books, the ethnologist of the study must be warned against making too liberal a use of the term "collective ideas," or that favourite expression of the French sociologists, "représentations collectives."

An error of method which was very prevalent among the evolutionary school in those days when the first edition of this work was written, and which is still committed by certain writers, is the practice of inferring, without sufficient reason, from the prevalence of a custom or institution among some savage peoples, or from facts interpreted as survivals of it, that this custom or institution is a relic from a stage of development which the whole human race once went through. Thus the assumption that primitive men lived in tribes or hordes all the men of which had promiscuous intercourse with all the women, where no individual marriage existed, and the children were the common property of the tribe, is founded, in the first place, on the statements of some travellers and ancient writers as to peoples among whom this custom is said actually to prevail, or to have prevailed, and, in the second place, on certain supposed survivals of that custom. Dr. Post went still further in his book '*Die Geschlechtsgenossenschaft der Urzeit und die Entstehung der Ehe.*' Without adducing any satisfactory reason for his opinion, he considered it probable that "monogamous marriage originally emerged everywhere from pure communism in women, through the intermediate stages of limited communism in women, polyandry, and polygyny";¹ but he subsequently revised his views.² Lewis H. Morgan, in his '*Systems of Con-*

¹ Post, *Die Geschlechtsgenossenschaft der Urzeit*, p. 17.

² *Idem*, *Studien zur Entwicklungsgeschichte des Familienrechts*, p. 58.

sanguinity and Affinity of the Human Family,' suggested no fewer than fifteen normal stages in the evolution of marriage and the family, assuming the existence and general prevalence of a series of customs and institutions "which must of necessity have preceded a knowledge of marriage between single pairs, and of the family itself, in the modern sense of the term."¹ Marriage by capture has been regarded as the primitive and once universal method of acquiring a wife; and to this day we hear of an early stage of group-marriage and of a stage of mother-right preceding father-right.

Now, it seems obvious that we have no right to assume the universal prevalence of a social phenomenon in the past unless we may assume that the cause or causes to which it is due have been universally operating. If speculating on such problems, we have therefore first to find out the causes of the social phenomena; then, from the prevalence of the causes, we may infer the prevalence of the phenomena themselves, if the former may be assumed to have operated without being checked by other causes. In this way we may conclude with absolute certainty that there were always intimate relations between a mother and her young child, since the causes of these relations must always have operated in a mammalian species, like man. A similar way of reasoning has also led me to the hypothesis that the family, consisting of father, mother, and children, existed already in primeval times and probably among our pre-human ancestors, owing to the offspring's need of care and protection and to the economic obstacles in the way of a permanent living in hordes; but this conclusion has a less solid foundation than the former one, because the necessity of paternal care is not so certain as that of maternal care. On the other hand, the causes, or hypothetical causes, to which marriage by capture, group-marriage, and mother-right may be traced are not such as to justify the belief in the universal prevalence of any of these customs at any stage of human civilisation—to say nothing of promiscuity, the existence of which as the exclusive form of the relations between

¹ Morgan, *Systems of Consanguinity and Affinity*, p. 479.

the sexes even among a single people is extremely doubtful.

The comparative method and the manner in which it has been applied are thus by no means above criticism. But the defects from which it suffers, and the errors to which it has led, hardly justify the air of superiority with which it has not infrequently been treated by the advocates of other methods. Its weaknesses and pitfalls are easy to detect, because it has been applied on a large scale in the course of half a century ; but I also think that the many important results achieved through it bear ample testimony to its merits. In order to form a just appreciation of a method it must be sufficiently put to the test, and this cannot be said to have been the case either with the sociological method of the French school or the ethnological method, which as yet have been in a greater degree subjects of theoretical discussion than of practical application. As for the French method, I cannot help saying that there are disquieting signs of a tendency to expansion beyond its legitimate limits. Its followers have not always been satisfied with restricting their conclusions to social phenomena belonging to the same area, but have regarded their method as a direct means of arriving at results of a much wider scope. Thus Professor Durkheim, in his book on the totemic system in Australia with the significant title '*Les formes élémentaires de la vie religieuse*,' confidently asserts that this system contains "all the great ideas and all the principal ritual attitudes which are at the bottom even of the most advanced religions" ; and he then proceeds to a discussion of religion in general, in the belief that if you have carefully studied the religion of one people only, you are better able to lay down the main principles of the religious life than if you follow the comparative method of a Tylor or Frazer.¹ It almost seems as though some kind of sociological intuition were to take the place of comparative induction. When properly applied, however, the different methods have their special problems to solve ; and this should exclude every rivalry between them. All of them are beset with difficulties.

¹ Durkheim, *Les formes élémentaires de la vie religieuse*, p. 593 sqq

For the problems are often complicated, and the material at our disposal is defective.

With reference to the particular subject-matter of the present work, it should be added that the investigator often must go beyond the psychological causes of the phenomena with which he deals and try to find their biological foundation. Marriage, so far as I can see, is rooted in instincts which can only be explained by biological facts—either peculiar to mankind and its nearest relatives, or of a more general character—and so are many particular customs and rules relating to marriage. Such instincts have been formed in accordance with the need of the species, which again depends upon anatomical and physiological factors of various kinds. This is true both of the sexual instinct with its peculiarities and of other instincts by which marriage is determined. It was a great defect of the earlier treatises on marriage that the biological aspect of the problem was entirely ignored, and even now it is not sufficiently recognised. In a review of the first edition of this work, Tylor pointed out that its distinguishing character was its “effort to work the biology-side and the culture-side of anthropology into one connected system”; and he added that “there can be no doubt of the value of the resulting discussions, which will develop further as the inquiry goes on in this direction.”¹ In the present edition discussions of this kind occupy an even more prominent place than before. There is no question here of biological analogies applied to the explanation of social evolution—as has been mistakenly said—but we are concerned with biological *facts* underlying psychical and social phenomena. At the same time careful attention must also be given to the influence which people’s ideas and beliefs have exercised upon their marriage customs, a subject on which much light has been thrown in the course of the last twenty years.² And another factor of importance

¹ Tylor, in *Academy*, October 3, 1891. Cf. Steinmetz, ‘Die neueren Forschungen zur Geschichte der menschlichen Familie,’ in *Zeitschrift für Socialwissenschaft*, ii. 811.

² See, especially, the works of Frazer and *The Mystic Rose* by Crawley.

is the influence of industrial culture.¹ Marriage is not a mere sex-relation, but an economic institution as well, and is consequently more or less influenced by the sources of subsistence.

I do not propose to discuss marriage in all its aspects, but shall, in the main, restrict myself to the following subjects :— the origin of marriage and questions connected with it, such as sexual periodicity, the various groups of facts which have been regarded as evidence of primitive promiscuity (alleged instances of peoples living in promiscuity, pre-nuptial unchastity, the *jus primae noctis*, religious prostitution, the lending and exchange of wives, feasts at which promiscuous intercourse is indulged in, the classificatory system of relationship, mother-right), and masculine jealousy ; the frequency of marriage and the marriage age ; celibacy ; sexual modesty, which has a bearing both on celibacy and on some marriage customs ; courtship and its various features ; primitive means of attraction ; sexual selection as influenced both by preferences and aversions, and the endogamous and exogamous rules which are rooted in the latter ; the methods of contracting a marriage, such as capture, consent, and the giving of a consideration for the wife either in the form of the exchange of bride for bride, or of service, or of true purchase, or of gifts, or of the exchange of presents ; the marriage portion ; marriage rites ; monogamy, polygyny, polyandry, and group-marriage and other group-relations ; the duration of marriage and the rules relating to its dissolution.

I shall discuss each of these questions separately, and in doing so I shall consider the customs or laws of peoples at all stages of civilisation. I shall not, however, enter into all the details of the marriage laws of modern civilised peoples, which are of comparatively little theoretical interest and,

¹ The importance of this factor was emphasised by Grosse, in *Die Formen der Familie und die Formen der Wirthschaft*, and by Hildebrand, in *Recht und Sitte auf den verschiedenen wirthschaftlichen Kulturstufen*. But the most valuable contribution to the subject is, on account of the wealth of its material and its statistical method, *The Material Culture and Social Institutions of the Simpler Peoples*, by Hobhouse, Wheeler, and Ginsberg.

besides, can easily be found in legal treatises. Whenever it is possible, I shall group together peoples of the same stock or living in the same area, but in other cases I shall not hesitate to mention even in the same paragraph peoples belonging to different races, living far away from each other, and standing on different levels of culture, but whose customs or beliefs invite comparison. This will in certain quarters be called bad method ; but I beg to refer to Darwin and others who, in dealing with some particular biological phenomenon, speak in the same breath even of different species of animals, and nevertheless have succeeded in reaching conclusions of some importance.

When the subject allows it, I shall make it a rule first to give a descriptive account of the phenomenon I am discussing, as it occurs among different peoples, and afterwards try to find its cause or causes—whether biological, psychological, or sociological. I am, of course, fully aware that the explanation may be incomplete, that it may refer to some cases but not to all, and that it may be partly or wholly conjectural. If I do not discuss the question of a common origin, either through the peoples' descent from the same ancestors or through culture-contact, that must by no means be interpreted as an assumption on my part that there is no common origin. When I speak of phenomena which I regard as specific characters—such as the sexual instinct, masculine jealousy, female coyness, or the family—I assume, on the contrary, *eo ipso* that they have a common source ; and when I speak, for example, of identical marriage rites among the peoples of the Indo-European group, I never think of independent origins in each case. But to seek for the homestead of the various marriage customs would in most cases be a most unprofitable task.

The method I am following often necessitates long enumerations of facts. These are not meant merely to illustrate some particular theory of the author—as has been alleged by certain critics—but they form the basis on which the theory is built, and cannot, therefore, be avoided, however much they may tax the patience of the reader. The general public will also, perhaps, object to being told

certain facts which hurt its sense of modesty. But the concealment of truth is the only indecorum known to science ; and to keep anything secret within its cold and passionless expanses would be as prudish as to throw a cloth round a naked statue.

CHAPTER I

THE ORIGIN OF MARRIAGE

MARRIAGE is generally used as a term for a social institution. As such it may be defined as a relation of one or more men to one or more women which is recognised by custom or law and involves certain rights and duties both in the case of the parties entering the union and in the case of the children born of it. These rights and duties vary among different peoples, and cannot therefore all be included in a general definition ; but there must, of course, be something which they have in common. Marriage always implies the right of sexual intercourse : society holds such intercourse allowable in the case of husband and wife, and, generally speaking, even regards it as their duty to gratify in some measure the other partner's desire.¹ But the right to sexual intercourse is not necessarily exclusive. It can hardly be said to be so, from the legal point of view, unless adultery is regarded as an offence which entitles the other partner to dissolve the marriage union, and this, as we know, is by no means always the case.

At the same time, marriage is something more than a regulated sexual relation. It is an economic institution, which may in various ways affect the proprietary rights of the parties. It is the husband's duty, so far as it is possible and necessary, to support his wife and children, but it may also be their duty to work for him. As a general

¹ For the conception of a " right," see my *Origin and Development of the Moral Ideas*, i. 139 sqq.

rule he has some power over them, although his power over the children is generally of limited duration. Very often marriage determines the place which a newly-born individual is to take in the social structure of the community to which he or she belongs ; but this cannot, as has been maintained,¹ be regarded as the chief and primary function of marriage, considering how frequently illegitimate children are treated exactly like legitimate ones with regard to descent, inheritance, and succession.² It is, finally, necessary that the union, to be recognised as a marriage, should be concluded in accordance with the rules laid down by custom or law, whatever these rules may be. They may require the consent of the parties themselves or of their parents, or of the parties as well as of their parents. They may compel the man to pay a price for his bride, or the parents of the latter to provide her with a dowry. They may prescribe the performance of a particular marriage ceremony of one kind or other. And no man and woman are regarded as husband and wife unless the conditions stipulated by custom or law are complied with.

As for the origin or the institution of marriage, I consider it probable that it has developed out of a primeval habit. It was, I believe, even in primitive times, the habit for a man and a woman (or several women) to live together,

¹ Rivers, *History of Melanesian Society*, ii. 145.

² See, e.g., Solberg, 'Gebräuche der Mittelmesa-Hopi (Moqui) bei Namengebung, Heirat und Tod,' in *Zeitschr. f. Ethnol.* xxxvii. 629 ; Bogoras, *Chukchee*, p. 572 ; Gurdon, *Khasis*, p. 77 (War country) ; Kohler, 'Das Recht der Marschallinsulaner,' in *Zeitschr. vergl. Rechtswiss.* xiv. 423 ; Torday and Joyce, 'Notes on the Ethnography of the Ba-Huana,' in *Jour. Anthr. Inst.* xxxvi. 285 ; Ploss-Renz, *Das Kind*, ii. 689 ; Hartland, *Primitive Paternity*, i. 277, 319, 320, and ii. 105, 178, 226. In China all sons born in the household have an equal share in the inheritance, whether the mother be the principal wife or a concubine or a domestic slave ; and according to Muhammadan law no distinction in point of inheritance is made between the child of a wife and that borne by a slave to her master, if the master acknowledge the child to be his own (Westermarck, *Origin and Development of the Moral Ideas*, ii. 48). See also Benzinger, *Hebräische Archäologie*, p. 114.

to have sexual relations with one another, and to rear their offspring in common, the man being the protector and supporter of his family and the woman being his helpmate and the nurse of their children. This habit was sanctioned by custom, and afterwards by law, and was thus transformed into a social institution. In order to trace marriage in its legal sense to its ultimate source, we must therefore try to find out the origin of the habit from which it sprang.

Our task is much facilitated by the fact that similar habits are found among many other species of the animal kingdom. Not, however, among the very lowest. In the great sub-kingdom of the Invertebrata the relations between the sexes are generally of the most fugitive nature, and even the mothers are exempted from nearly all anxiety as regards their offspring. In the highest order, the Insects, the eggs are hatched by the heat of the sun, and the mother, in most cases, does not even see her young, her care being generally limited to seeking out an appropriate place for laying the eggs, and to fastening them to some proper object and covering them, if this be necessary for their preservation.¹ Yet there are several species in which the mother prepares board and lodging for her offspring,² and among some beetles the male also takes part in the work, and, together with the female, even guards the eggs.³ The Spanish Copris, for instance, digs a burrow under a heap of sheep's dung and gathers there victuals from the heap; and Fabre also suspects "the husband of lending a hand to his partner with the harvesting and the storing. . . . But, once the house is well supplied, he retires discreetly, returns to the surface and goes and settles down elsewhere, leaving the mother to her delicate functions. His part in the family-mansion is ended."⁴

¹ Brehm, *Thierleben*, ix. 16. Fabre, *Life and Love of the Insect*, p. 2.

² Reuter, *Lebensgewohnheiten und Instinkte der Insekten*, pp. 204, 205, 208 *sqq.* Fabre, *op. cit.* p. 1 *sq.*

³ Reuter, *op. cit.* p. 227 *sqq.*

⁴ Fabre, *op. cit.* p. 67 *sq.*

In the lowest classes of the Vertebrata parental care is likewise almost unheard of. In the immense majority of species, young fishes are hatched without the assistance of their parents, and have, from the outset, to help themselves. Many Teleostei, however, form an exception ; and in these cases it is the male on which the parental duty generally devolves. In some instances he constructs a nest, and jealously guards the ova deposited in it by the female ; while the male of certain species of Arius carries the ova about with him in his capacious pharynx.¹ Most of the Reptiles place their eggs in a convenient and sunny spot between moss and leaves, and take no further trouble about them. But several of the larger serpents have a curious fashion of laying them in a heap, and then coiling themselves around them in a great hollow cone.² And female crocodiles, as also certain aquatic snakes of Cochin China, observed by Dr. Morice, carry with them even their young.³

Among the lower Vertebrata, it rarely happens that both parents jointly take care of their progeny. Milne Edwards states that in the Pipa, or Toad of Surinam, the male helps the female to disburthen herself of her eggs ; ⁴ and concerning some Chelonia M. Espinas observes, " La femelle vient sur les plages sablonneuses au moment de la ponte, accompagnée du mâle, et construit un nid en forme de four où la chaleur du soleil fait éclore les œufs." ⁵ But it may be regarded as an almost universal rule that the relations of the sexes are utterly fickle. The male and female come together in the pairing time ; but having satisfied their sexual instincts they part again, and have nothing more to do with one another.

The case is very different with the large majority of Birds. Among them male and female keep together not only during the breeding season, but also after it, and the

¹ Guenther, *Introduction to the Study of Fishes*, p. 163.

² Wood, *Illustrated Natural History*, iii. 3.

³ Espinas, *Des sociétés animales*, p. 416.

⁴ Milne Edwards, *Leçons sur la physiologie et l'anatomie comparée*, viii. 496.

⁵ Espinas, *op. cit.* p. 417.

parental instinct has reached a high degree of intensity on the father's side as well as on the mother's. The two birds help each other to build the nest, the male generally bringing the materials and the female doing the work. In fulfilling the numberless duties of the breeding season both birds take a share. Incubation rests principally with the mother,¹ but the father, as a rule, helps his companion, taking her place when she wants to leave the nest for a moment, or providing her with food and protecting her from every danger. During the first few days after hatching most birds rarely leave their young for long, and then only to procure food for themselves and their family; and in cases of danger both parents bravely defend their offspring. As soon as the first period of helplessness is over and the young have grown somewhat, they are carefully taught to shift for themselves; and it is only when they are perfectly capable of so doing that they leave the nest and the parents.

There are, it is true, a few birds that from the first day of their ultra-oval existence lack all parental care; and in some species, as the ducks, it frequently happens that the male leaves family duties wholly to the female. But as a general rule both share prosperity and adversity. Brehm believes that most birds, with the exception of those belonging to the Gallinaceous family and some other species, when pairing, do so once for all till either one or the other dies. He is so filled with admiration for their exemplary family life, that he enthusiastically declares that "real genuine marriage can only be found among birds."²

The same cannot be said of most of the Mammals. The mother is, no doubt, very ardently concerned for the welfare of her young, generally nursing them with the utmost affection, but in the majority of species the relations between the sexes are restricted to the pairing season,

¹ The ostrich, however, forms a curious exception, the male—not the female—sitting on the eggs and bringing up the young birds (Brehm, *Bird-Life*, p. 324).

² *Ibid.* p. 285. The statements concerning birds are taken from Brehm's *Thierleben*, vol. iv., the same author's *Bird-Life*, and Hermann Müller's *Am Neste*

and sometimes the male even acts as an enemy to his own progeny. Yet there are various species in which the union between male and female is of a more durable character. This is the case with whales,¹ seals,² the hippopotamus,³ the *Cervus campestris*,⁴ gazelles,⁵ the *Neotragus Hemprichii* and other small antelopes,⁶ rein-deer,⁷ the *Myopotamus bonariensis* (a South American aquatic rodent),⁸ squirrels,⁹ moles,¹⁰ the ichneumon,¹¹ and some carnivorous animals, as a few cats and martens,¹² the yaguarundi in South America,¹³ the *Canis Azaræ*,¹⁴ and possibly also the wolf.¹⁵ Among all these animals the sexes are said to remain together even after the birth of the young, the male being the protector of the family.

This is frequently the case among the Quadrumana. The natives of Madagascar assert that in some species of the Prosimii male and female nurse their young in common¹⁶—a statement, however, the accuracy of which remains to be proved. The mirikina (*Nyctipithecus trivirgatus*) seems, according to Rengger, to live in pairs throughout the whole year, for, whatever the season, a male and a female have always been found together.¹⁷ Of the *Mycetes Caraya*, *Cebus Azaræ*,¹⁸ and *Ateles paniscus*,¹⁹ single individuals are very seldom or never seen, whole families being generally met with. Among the Arctopithecii, the male parent is expressly said to assist the female in taking care of the young ones.²⁰

¹ Brehm, *Thierleben*, iii. 679.

² *Ibid.* iii. 593, 594, 599.

³ *Ibid.* iii. 578.

⁴ Rengger, *Naturgeschichte der Säugethiere von Paraguay*, p. 354.

⁵ Brehm, *Thierleben*, iii. 206.

⁶ *Ibid.* iii. 256. Espinas, *op. cit.* p. 447.

⁷ Brehm, *Thierleben*, iii. 124.

⁸ Rengger, *op. cit.* p. 240.

⁹ Brehm, *Thierleben*, ii. 270.

¹⁰ *Ibid.* ii. 263.

¹¹ *Ibid.* ii. 39.

¹² *Ibid.* i. 347.

¹³ *Ibid.* i. 387.

¹⁴ Rengger, *op. cit.* p. 147 sq.

¹⁵ Brehm, *Thierleben*, i. 535.

¹⁶ *Ibid.* i. 244.

¹⁷ Rengger, *op. cit.* p. 62.

¹⁸ *Ibid.* pp. 20, 38.

¹⁹ Schomburgk, *Reisen in Britisch-Guiana*, iii. 767.

²⁰ Brehm, *Thierleben*, i. 228.

In a recent work on his travels in Sumatra, Moszkowski states that the higher monkeys or apes usually live in families consisting of father, mother, and one or two young ; he says that he has often witnessed this himself, but, unfortunately, does not mention the name of any particular species.¹ Diard was told by the Malays, and found it afterwards to be true, that the young *siamangs*, when in their helpless state, are carried about by their parents, the males by the father, the females by the mother.² C. de Crespigny, who was wandering in the northern part of Borneo in 1870, gives the following description of the orang-utan :—" They live in families—the male, female, and a young one. On one occasion I found a family in which were two young ones, one of them much larger than the other, and I took this as a proof that the family tie had existed for at least two seasons. They build commodious nests in the trees which form their feeding-ground, and, so far as I could observe, the nests, which are well lined with dry leaves, are only occupied by the female and young, the male passing the night in the fork of the same or another tree in the vicinity. The nests are very numerous all over the forest, for they are not occupied above a few nights, the mias (or orang-utan) leading a roving life."³ According to Rajah Brooke, these apes " are never found in numbers together, in general only single, though occasionally the male and female are in company."⁴ Mohnike says that the old males generally live with the females during the rutting season only.⁵ Hornaday writes :—" The orang is quite solitary in his habits, the old males always being found alone ; nor are two adult females ever found together. On two occasions I found three individuals together, but

¹ Moszkowski, *Auf neuen Wegen durch Sumatra*, p. 246.

² Brehm, *Thierleben*, i. 97.

³ de Crespigny, ' On Northern Borneo,' in *Proceed. Roy. Geo. Soc.* xvi. 177.

⁴ Brooke, *Narrative of Events in Borneo and Celebes from the Journals of James Brooke*, i. 227.

⁵ Mohnike, ' Die Affen auf den indischen Inseln,' in *Das Ausland*, xlv. 850. See also Hartmann, *Die menschenähnlichen Affen*, p. 230.

one was an old female with a nursing infant, and the third was her next oldest offspring, apparently about a year and a half old, who had not yet left his mother's side to shift for himself." From this our informant draws the conclusion that the young one does not leave its mother until nearly two years of age¹—an assumption which well agrees with Rajah Brooke's statement referring to an adult female with a young one at her breast and "a second a year or two old (probably her former offspring) in company."² Nor did Wallace ever see two full-grown animals together; but he sometimes found females and at other times males accompanied by half-grown young ones.³ It thus seems that the offspring of the orang-utan are not devoid of all paternal care.

More unanimous in this respect are the statements we have regarding the gorilla. According to Savage, these apes live in bands, but all his informants agreed in the assertion that but one adult male is found in every band. "It is said that when the male is first seen he gives a terrific yell that resounds far and wide through the forest. . . . The females and young at the first cry quickly disappear; he then approaches the enemy in great fury, pouring out his horrid cries in quick succession."⁴ Schweinfurth says that the gorillas are not found in herds, but either in pairs or even quite alone, and that it is only the young that occasionally may be seen in groups.⁵ Du Chaillu found "almost always one male with one female, though sometimes the old male wanders companionless";⁶ and Winwood Reade states likewise that the gorilla goes "sometimes alone, sometimes accompanied by his female and young one."⁷ The same traveller was told that when a family of these apes ascend a tree and eat a certain fruit, the old father

¹ Hornaday, *Two Years in the Jungle*, p. 402 sq.

² Brooke, *op. cit.* i. 221.

³ Wallace, *Malay Archipelago*, i. 93.

⁴ Savage, *Description of Troglodytes Gorilla*, p. 9 sq.

⁵ Schweinfurth, *Heart of Africa*, i. 522.

⁶ Du Chaillu, *Explorations and Adventures in Equatorial Africa*, p. 349.

⁷ Reade, *Savage Africa*, p. 214.

remains seated at the foot of the tree. And when the female is pregnant he builds a rude nest, usually about fifteen or twenty feet from the ground ; here she is delivered, and the nest is then abandoned.¹ According to von Koppenfels, the male spends the night crouching at the foot of the tree, against which he places his back, and thus protects the female and their young, which are in the nest above, from the nocturnal attacks of leopards. Once he observed a male and a female with two young ones of different ages, the elder being perhaps about six years old, the younger about one year.²

A somewhat different account of the habits of the gorilla was given to Mr. Guthrie in Kamerun by natives of the Bulu tribe. According to this account, "the gorillas of Kamerun live in small companies, scarcely to be called families, except in the younger days of the band, when only two, three, or four individuals are found together. A company seldom comprises more than twelve members, and is said never to exceed fifteen or sixteen. The smaller companies consist of one male with his one, two, or three wives, and some small children. A company of six or seven members would probably have two adult males. As the younger members grow up they take, or rather keep, their places in the company. When the old male becomes cross, or possibly, it may be, too infirm to travel with the company, he goes off by himself and spends the rest of his life without companionship." When a gorilla's family is threatened by natives, he will attack them. Mr. Guthrie relates :—"In one instance a band of gorillas was attacked by two Bulu men. The old gorilla of the band first got his family out of danger, and then returned to the encounter."³

From these accounts it appears that the gorilla lives in family groups, consisting of one adult male (according to

¹ *Ibid.* pp. 218, 214.

² v. Koppenfels, 'Meine Jagden auf Gorillas,' in *Die Gartenlaube*, 1877, p. 418 sq.

³ Jenks, 'Bulu knowledge of the Gorilla and Chimpanzee,' in *American Anthropologist*, N.S. xiii. 56, 58.

one account sometimes two), one or more females, and one or more young ones of different ages, and that the adult male, or father, guards, warns, and protects his family, and, apparently, builds a nest for them. The habits of the chimpanzee are said to be very similar. Schweinfurth states that this ape also is found either in pairs or even quite alone, only the young occasionally being seen in groups.¹ According to Savage, "it is seldom that more than one or two nests are seen upon the same tree or in the same neighbourhood; five have been found, but it was an unusual circumstance. They do not live in 'villages.' . . . They are more often seen in pairs than in gangs." He also tells us that "it is not unusual to see 'the old folks' sitting under a tree regaling themselves with fruit and friendly chat, while 'their children' are leaping around them and swinging from branch to branch in boisterous merriment."² Von Koppenfels says that the chimpanzee, like the gorilla, builds a nest for the young and female on a forked branch, and that the male himself spends the night lower down in the tree.³ Mr. Guthrie was told by his native informants that the chimpanzee in Kamerun lives in bands, as does the gorilla; but "the old males eventually become solitary, though the young on maturing are believed to remain in the kinship group."⁴

If we ask why in certain animal species male and female remain together not only during the pairing season but till after the birth of the offspring, I think that there can be no doubt as regards the true answer. They are induced to do so by an instinct which has been acquired through the process of natural selection because it has a tendency to preserve the next generation and thereby the species. This is shown by the fact that in such cases the male not only stays with the female and young but also takes care of them. Marital and paternal instincts, like maternal

¹ Schweinfurth, *op. cit.* i. 522.

² Savage, 'On *Troglodytes niger*,' in *Boston Journal of Natural History*, iv. 384 sq. See also Du Chaillu, *op. cit.* p. 358; Hartmann, *op. cit.* p. 221.

³ v. Koppenfels, *loc. cit.* p. 418.

⁴ Jenks, *loc. cit.* p. 61.

affection, are necessary for the existence of certain species, although there are many other means by which a species may be enabled to subsist. Where parental care is lacking, we may be sure to find compensation for it in some other way. Among the Invertebrata, Fishes, and Reptiles, both parents are generally quite indifferent as to their progeny. An immense proportion of the latter therefore succumb before reaching maturity ; but the number of eggs laid is proportionate to the number of those lost, and the species is preserved nevertheless. If every grain of roe spawned by the female fishes were fecundated and hatched, the sea would not be large enough to hold all the creatures resulting from them. The eggs of Reptiles need no maternal care, the embryo being developed by the heat of the sun ; and their young are from the outset able to help themselves, leading the same life as the adults. Among Birds, on the other hand, parental care is an absolute necessity. Equal and continual warmth is the first requirement for the development of the embryo and the preservation of the young ones. For this the mother almost always wants the assistance of the father, who provides her with necessaries, and sometimes relieves her of the brooding. Among Mammals, the young can never do without the mother at the tenderest age, but the father's aid is generally by no means indispensable. In some species, as the walrus,¹ the elephant,² the *Bos americanus*,³ and the bat,⁴ there seems to be a rather curious substitute for paternal protection, the females, together with their young ones, collecting in large herds or flocks apart from the males.

In the case of the man-like apes there are some obvious facts which might account for the need of marital and paternal protection. One is the small number of young ; the female brings forth but one at a birth.⁵ Another is the long period of infancy ; the orang-utan is said to be full-grown only at the age of fifteen.⁶ If the family life of this

¹ Brehm, *Thierleben*, iii. 649.

² *Ibid.* iii. 479.

³ *Ibid.* iii. 400.

⁴ *Ibid.* i. 299.

⁵ Jenks, *loc. cit.* pp. 57, 61 (gorilla, chimpanzee). Hornaday, *op. cit.* p. 403 (orang-utan).

⁶ Mohnike, *loc. cit.* p. 850.

ape, nevertheless, is more defective than that of the gorilla and chimpanzee, the reason may perhaps be that it is exposed to fewer dangers. "Except man," says Mohnike, "the orang-utan in Borneo has no enemy of equal strength";¹ and on account of his great strength, says Rajah Brooke, "an old male might attack a single man if provoked."² Finally, as we have seen, none of these apes can be called gregarious animals. In this respect they differ from the smaller monkeys; and the reason for this is probably just their larger size, which, on the one hand, makes the protection afforded by gregariousness less necessary, and, on the other hand, makes it more difficult to live in larger herds owing to the greater quantities of food required. It is said that the gorilla hardly ever spends two nights in the same place, each family roaming about in the bush from place to place in search of food.³ Savage tells us that the chimpanzees are more numerous in the season when the greatest number of fruits come to maturity,⁴ which seems to indicate that the solitary life in separate family groups generally led by this ape is due chiefly to the difficulty it experiences in getting food at other times of the year. And the comparatively greater sociability attributed to it by the natives of Kamerun may perhaps have something to do with the fact that "the immense forests furnish an abundance of varied food, so the chimpanzee usually experiences little trouble in satisfying its hunger."⁵

When we from the highest monkeys pass to man, we meet with the same phenomenon. Among the lowest savages, as well as the most civilised races of men, we find the family consisting of parents and children, and the father as its protector and supporter. There are, it is true, statements according to which certain peoples live or have lived in a state of promiscuity without any family ties; there are various customs which have been interpreted as survivals of

¹ *Ibid.* p. 894.

² Brooke, *op. cit.* i. 225.

³ Jenks, *loc. cit.* p. 57.

⁴ Savage, in *Easton Journal of Natural History*, iv. 384. Cf. von Koppenfels, *loc. cit.* p. 419.

⁵ Jenks, *loc. cit.* p. 61.

such a state in the past ; and the hypothesis has been set forth that promiscuity prevailed universally among primitive men. I shall, in subsequent chapters, try to show that most of the statements in question are obviously inaccurate, and none of them can be proved to be, or is even likely to be, true ; that the so-called survivals of earlier promiscuity may be interpreted in a much more satisfactory manner otherwise ; and that the hypothesis of a primitive stage of promiscuity not only lacks all foundation in fact, but is utterly opposed to the most probable inference we are able to make as regards the early condition of man. On the other hand, there are undoubtedly peoples among whom a child stands in a more intimate relation to its maternal uncle than to its father.

In a few exceptional cases it is said to be the custom for the husband not to live with his wife at all, but merely to pay her visits in the place where she dwells with her maternal relatives ; and the children she bears then remain with her. Of the Orang Mamaq in Sumatra, who are divided into a number of exogamous matrilineal clans, we are told that man and wife generally continue to live each with his or her own clan, though it sometimes happens that the husband moves to his wife's home. The head of the family is the eldest brother of the wife, whereas the husband and father is not considered to belong to it at all. Yet their marriages are said to be not only monogamous but indissoluble save by death.¹ Among the kindred Malays of the Padang Highlands in the same island there is a similar institution. Married life, we are told, reveals itself merely in the form of visits which the husband pays to his wife ; in the beginning, at least, he comes by day, helps her in her work in the rice-fields and takes his midday meal with her, but later he generally comes privately in the evening to his wife's house and stays there, if he be a faithful husband, until the following morning. As a rule, he does not sufficiently provide

¹ Graafland, 'De verbreiding van het matriarchaat in het landschap Indragiri,' in *Bijdragen tot de taal-, land- en volkenkunde van Nederlandsch-Indië*, ser. v. vol. v. (vol. xxxix.) p. 43 sq. Hagen, *Die Orang Kubu auf Sumatra*, p. 164.

for his wife and children ; here, too, it is the maternal uncle (*mamag*) of the latter that is their father, so far as duties and rights are concerned, and the head of the family in the narrower sense of the term, the so-called *sa-mandei*.¹ Among the Syntengs of the Jaintia Hills in Assam, the husband likewise only visits his wife at her mother's house ; " in Jowai," says Major Gurdon, " some people admitted to me that the husband came to his mother-in-law's house only after dark, and that he did not eat, smoke, or even partake of betel-nut there, the idea being that because none of his earnings go to support this house, therefore it is not etiquette for him to partake of food or other refreshment there."² Among the Nayars of Malabar, who practised a sort of polyandry, the woman lived apart from her husbands, or lovers, who cohabited with her by agreement among themselves. They contributed to maintain her, and according to several authorities the children as well ; but in some accounts all paternal duties are said to be ignored, the children being brought up by their maternal uncle. Even to this day, when polyandry has almost entirely ceased to exist among the Nayars, it frequently happens that the wife remains in her own *tarwad* (the common residence of the children of the same maternal ancestor), and that the husband only visits her in her house in the night and goes home the next morning ;³ nay, from the strictly legal point of view, wife and children possess no privilege of claiming maintenance from the husband and father.⁴ These cases, however, are certainly rare exceptions to a well-nigh universal rule, and must by no means be regarded as anything like representative of the relations between man and woman among peoples with matrilineal descent. As for the Nayars, it seems that their peculiar customs were closely connected with their military organisation.⁵

¹ Pistorius, *Studien over de inlandsche huishouding in de Padangsche Bovenlanden*, p. 42 sqq. van Hasselt, *Volksbeschrijving van Midden-Sumatra*, p. 245 sq.

² Gurdon, *Khasis*, p. 76.

³ *Infra*, on Polyandry.

⁴ Gopal Panikkar, *Malabar and its Folk*, p. 22.

⁵ *Infra*, on Polyandry.

More frequently it is said that the mother's brother has greater rights over a child than the father, or that the latter's authority is very slight or even *nil*, although the children live with their parents, at least in earlier years. This is reported of various African peoples mentioned by Dr. Hartland—the Alladians on the Ivory Coast, the people of Loango, the Igalwas of the Lower Congo, the Kimbunda, the Ewhe of Anglo in Upper Guinea, the Kunáma of Northern Abyssinia, the Suahili, the Wanyika in the hinterland of Mombasa—and of the Melanesians of the Gazelle Peninsula of New Britain.¹ Yet it is hard to believe that the father really is devoid of all power over his children while they remain in his house. Among the Bambala, according to Mr. Torday, the children of a "betroted" wife belong to their maternal uncle, although those of a purchased wife belong to their father, and after the age of seven or eight the children of the former class may go to the uncle; but we are expressly told that "as long as children remain with the father he is supreme."² Perhaps something like might be said of various other Congo natives, as well as of the coast people of the Gazelle Peninsula, among whom the children or boys move to the village of their maternal uncle when they reach a certain age.³ On the Lower Congo, according to Mr. Weeks, when the lad is about fourteen or fifteen years old his maternal uncle brings a calabash of palm wine to the father and claims the lad. "The father has no power to withhold him from going with his uncle, but the lad himself can refuse to go, and thus elect to remain under the tutelage of his father as long as he likes."⁴

Generally speaking, I think it is necessary to receive with some caution statements which attribute unqualified power

¹ Hartland, *Primitive Paternity*, i. 277, 281, 282, 284, 285, 287, 288, 290.

² Torday, *Camp and Tramp in African Wilds*, p. 95.

³ *Ibid.* p. 134 (Bayaka). Torday and Joyce, 'Notes on the Ethnography of the Ba-Huana,' in *Jour. Anthr. Inst.* xxxvi. 285 sq. Johnston, *George Grenfell and the Congo*, ii. 673 (natives of South Congoland). Burger, *Die Küsten- und Bergvölker der Gazellehalbinsel*, p. 30.

⁴ Weeks, *Among the Primitive Bakongo*, p. 119.

to the maternal uncle to the exclusion of the father. Travellers are naturally impressed by the difference between the European family system and that of the people they visit, and are therefore liable to emphasise this difference somewhat more than is justified by the actual facts. In this way we may explain certain inconsistencies occasionally found in their accounts. Dr. Ruelle, for instance, states that among the Lobi in French West Africa the children belong to their uncle, although they live with their parents; but on the next page we read, "Il n'existe aucune autre autorité que celle du père de famille qui l'exerce réellement, soutenu, au besoin, par les membres qui la constituent." Nay, in case of divorce all children from six years of age upwards remain with the father.¹ Concerning the Ewhe-speaking peoples on the Slave Coast, Major Ellis tells us in one place that "the eldest brother is the head of the family," but speaks in another place of the father as the "owner or master of the household," and says that when a man wants to marry a certain girl the negotiations are made with her parents; whilst in the case of betrothals between children a present is made by the parents of the male child to those of the female child.² Magyar informs us that among the Kimbunda the father has no power over his sons even during their minority; but, nevertheless, we hear that "the grown-up son leaves his parents' house as soon as he is marriageable, and establishes himself in an independent position," and that the daughters are given away in marriage by their parents.³ With reference to the same people, it is of interest to note that, although no rights over the sons are attributed to the father, they are said to be under his guardianship (*Obhut*).⁴

The elementary paternal duties seem to be recognised universally while the children live in the father's house,

¹ Ruelle, 'Notes anthropologiques, ethnographiques et sociologiques sur quelques populations noires du 2^e territoire militaire de l'Afrique occidentale française,' in *L'Anthropologie*, xv. 661 sq.

² Ellis, *Ewhe-speaking Peoples of the Slave Coast*, pp. 207, 211, 155, 201.

³ Magyar, *Reisen in Süd-Afrika*, pp. 284, 281 sq. ⁴ *Ibid.* p. 284.

however limited be his rights over them. The Ewhe of Anglo, among whom the maternal uncle is said to have greater power than the father, consider it to be incumbent upon the latter to take care of the boys when they grow older, whilst the education of the girls devolves on the mother; and when a boy gets old enough to marry, the father and the uncle jointly procure a wife for him.¹ On the Lower Congo, "until the uncle comes with the palm wine the lad is under the protection of his father, who is responsible for him to the boy's family, but on the boy going with the uncle, the father's responsibility is ended."² The Herero, among whom the father's power is said to consist merely in the right of chastising his child,³ compel him to pay compensation to his wife's kin if he neglects a child so that it dies, nay apparently if it dies without any fault on his part.⁴ In Garenganze, to the south-west of Lake Moero, "if a freeborn child were lost or devoured by wild animals, the father would have to pay its value to his wife's relatives, as . . . freeborn children are in some parts supposed to belong entirely to their mother."⁵ Among the Kaupuis of Manipur, on the death of a child, *munda*, or "bone-money," is demanded by the wife's father.⁶ Among the Papuans of the Tami Islands, if a child dies the father makes presents to the mother's kin—obviously, as Kohler remarks, because the father is held responsible for the death and redeems his liability with a gift.⁷ Dr. Hartland mentions the last four cases as instances of "the alien position occupied among matrilineal peoples by the father in regard to his children."⁸

¹ Härtter, 'Sitten und Gebräuche der Angloer,' in *Zeitschr. f. Ethnol.* xxxviii. 43.

² Weeks, *op. cit.* p. 119.

³ Dannert, *Zum Rechte der Herero*, p. 47.

⁴ *Ibid.* p. 47. Kohler, 'Das Recht der Herero,' in *Zeitschr. vergl. Rechtswiss.* xiv. 307.

⁵ Arnot, *Garenganze*, p. 242.

⁶ Watt, 'Aboriginal Tribes of Manipur,' in *Jour. Anthr. Inst.* xx. 355.

⁷ Kohler, 'Das Recht der Papuas,' in *Zeitschr. vergl. Rechtswiss.* xiv. 351.

⁸ Hartland, *op. cit.* i. 275-279, 281.

In this connection they are of interest as showing that even where the mother's kindred have certain rights over the children, the father is held responsible for their lives.

But it must not be supposed that it is a general rule among matrilineal peoples that the maternal uncle or any other member of the mother's kin has more authority over the children than the father. In all Australian tribes, whether patrilineal or matrilineal, the father is most distinctly the head of the family.¹ The same is the case in many parts of Melanesia, where descent is traced through the mother; as Dr. Codrington puts it, "the house of the family is the father's, the garden is his, the rule and government are his."² Of the Khasis in Assam, Major Gurdon writes:—"It is true that the *kni*, or mother's elder brother, is the head of the house, but the father is the executive head of the new home, where, after children have been born to him, his wife and children live with him. It is he who faces the dangers of the jungles, and risks his life for wife and children. . . . In his own family circle a father and husband is nearer to his children and his wife than *u kni*."³ In Madagascar the prevalence of matrilineal descent does not prevent the commands of a father or an ancestor from being "held as most sacredly binding upon his descendants."⁴ Among the Mpongwe, who reckon descent through the mother, the father has by law unrestricted power over his children.⁵ Concerning the matrilineal Algonkin of North America, Charlevoix says that even though the father "is not regarded

¹ Curr, *The Australian Race*, i. 60, 62, 69. Eylmann, *Die Eingeborenen der Kolonie Südaustralien*, p. 168. Malinowski, *The Family among the Australian Aborigines*, p. 67 sqq. See also *infra*, i. 66 sq.

² Codrington, *Melanesians*, p. 34. See also Hagen, *Unter den Papua's*, p. 224 sq. (natives of Kaiser Wilhelm Land); Vetter, 'Bericht über papuanische Rechtsverhältnisse,' in *Nachrichten über Kaiser Wilhelms-Land*, 1897, p. 86 (natives of Simbang); Jung, 'Rechtsanschauungen der Eingeborenen von Nauru,' in *Mittheil. Deutsch. Schutzgeb.* x. 65 (natives of Nauru, one of the Marshall Islands).

³ Gurdon, *op. cit.* p. 78 sq.

⁴ Sibree, *The Great African Island*, p. 326.

⁵ Hübbe-Schleiden, *Ethiopien*, pp. 151, 153.

as father, he is always respected as the master of the cabin."¹ Of the Iroquois—who, on the authority of Morgan,² have been represented as one of the few instances of mother-right "in its most typical form," where the father has no authority in the household³—an earlier authority tells us that the mother superintends the children, but that the word of the father is law and must be obeyed by the whole household.⁴ These are only a few instances of a very widespread right granted to the father among peoples who have the matri-lineal system of descent.

Dr. Hartland—to mention only the latest exponent of "mother-right"—regards the authority of the father, nay even that of the maternal uncle, as the result of later development. The *potestas*, he says, vests in the first instance in the elders of the kin at large. "As the consciousness of kin becomes gradually more vivid and defined the elders of the inchoate family absorb the headship of their more immediate kin and administer its concerns. Gradually the headship becomes concentrated in the hands of one man, often chosen by the family from among a small number specially qualified by age experience wisdom or courage, or designated by propinquity of blood to the predecessor in office." But "when the family under mother-right emerges the power is found to be wielded not by the husband but by the wife's brothers, or her maternal uncles, a circle constantly narrowing until the definition of these terms approximates to our own, one of whom takes ultimately the lead and appropriates the greater part or sometimes the whole of the *potestas*. Nor does the transition to the reckoning of descent through the father entirely and at once divest him of it. Enough survives in his hands to form very material evidence of the more archaic social organisation which preceded the estab-

¹ Charlevoix, *Histoire de la Nouvelle France*, v. 424.

² Morgan, *League of the Iroquois*, p. 325.

³ Rivers, 'Mother-Right,' in Hastings, *Encyclopædia of Religion and Ethics*, viii. 851.

⁴ Seaver, *Narrative of the Life of Mrs. Mary Jemison*, p. 165. Mrs. Jemison was a white woman who was captured by the Indians in 1755.

lishment of fatherright." And we are told that "the result of anthropological investigations during the past half-century has been to show that motherright everywhere preceded fatherright and the reckoning of descent in the modern civilised fashion through both parents."¹ In short, the family consisting of father, mother, and children has everywhere been preceded by a social organisation of mother-right where the father was a wholly subordinate personage.

The main facts on which this theory is based have already been mentioned. Among a few peoples, not even half a dozen in number, it is said to be the custom for husband and wife to remain permanently in their own communities, apart from each other, and for the children to stay with the mother. Among various other peoples, the mother's kin, and particularly the maternal uncle, are said to have greater rights over the children than the father, if not exclusive rights over them; whereas among many matrilineal peoples the father's *potestas* is paramount. I can find no reason whatever to assume that the latter peoples, also, had full-fledged mother-right in former times. If a certain institution is highly developed among some peoples and much less developed among others, it does not follow that it was once highly developed among the latter as well. In the present case any such conclusion is particularly illegitimate, considering that the fullest mother-right prevails among agricultural tribes, whereas the matrilineal system is nowhere feebler than among the Australian aborigines, who still live in the hunting and food-collecting stage. This is very significant on account of the close connection which exists between the family organisation and factors of an economic character. Nor can I accept the statement that "mother-right everywhere preceded fatherright"; but this question will be most conveniently discussed together with the hypothesis which regards the matrilineal system as a relic of early promiscuity. Those who advocate a primitive stage of mother-right without paternal rights and paternal duties are faced by the formidable fact, which will be dealt with

¹ Hartland, *op. cit.* i. 299, 300, 256 sq.

presently, that among the lowest savages, who chiefly or exclusively subsist on game and such products of nature as they can gather without cultivating the soil or breeding domestic animals, the family consisting of parents and children is a well-marked social unit, with the father as its head and protector.

That the functions of the husband and father in the family are not merely of the sexual and procreative kind, but involve the duty of protecting the wife and children, is testified by an array of facts relating to peoples in all quarters of the world and in all stages of civilisation. The North American Indian considered it disgraceful for a man to have more wives than he was able to maintain.¹ Powers says that among the Patwin, a rude hunting tribe of California, "the sentiment that the men are bound to support the women—that is, to furnish the supplies—is stronger even than among us."² Among the Iroquois it was the office of the husband "to make a mat, to repair the cabin of his wife, or to construct a new one." The product of his hunting expeditions belonged during the first year of marriage to his wife, and afterwards he shared it equally with her, whether she remained in the village or accompanied him on the chase.³ Among the Tarahumare of Mexico the bridegroom's father at the wedding makes a speech in which he tells the young man "that he has to kill deer and take care always to bring some animal home to his wife, even if it be only a chipmunk or a mouse. He also has to plough and to sow corn and to raise crops, that he and she may always have enough to eat and not go hungry."⁴ Among the Pawnee "a young man did not expect to marry until he had come to be an expert hunter, and so was able to support a wife."⁵ So also among the Guaraunos on the Orinoco "un garçon n'entre en ménage que lorsqu'il peut nourrir une

¹ Waitz, *Anthropologie der Naturvölker*, iii. 109. Carver, *Travels through the Interior Parts of North America*, p. 367.

² Powers, *Tribes of California*, p. 222.

³ Heriot, *Travels through the Canadas*, p. 338.

⁴ Lumholtz, *Unknown Mexico*, i. 269.

⁵ Grinnell, *Story of the Indian*, p. 42 sq.

femme avec les produits de sa chasse et sa pêche.”¹ Of the Indians of the North-West Amazons we are told that “the husband, once he has obtained his wife, is entirely responsible for her maintenance.”² Among the Charruas of Uruguay, “du moment où un homme se marie, il forme une famille à part, et travaille pour la nourrir.”³ Among the Fuegians, “as soon as a youth is able to maintain a wife, by his exertions in fishing or bird-catching, he obtains the consent of her relations.”⁴

Concerning the Tonga Islanders, Mariner remarks that “a married woman is one who cohabits with a man, and lives under his roof and protection.”⁵ In Samoa, it is said, “whatever intercourse may take place between the sexes, a woman does not become a man’s wife unless the latter take her to his own house.”⁶ Among the Maori “the mission of woman was to increase and multiply; that of man to defend his home.”⁷ In Pentecost, of the New Hebrides, the father of the bride, or some friend of consequence at the wedding, formally exhorts the bridegroom “to feed his wife properly and treat her kindly.”⁸ Among some of the Marshall Islanders even natural children were received by the father into his house as soon as they were able to walk.⁹

Among the Bangerang tribe in Victoria “the ordinary business of the married men was to see to the safety of the family, procure meat or fish, and opossum skins enough to keep them clad”; whilst the women provided the daily supply of wild roots and vegetables.¹⁰ With reference to the

¹ Chaffanjon, *L’Orénoque et le Caura*, p. 11.

² Whiffen, *North-West Amazons*, p. 66. See also *ibid.* p. 164 sq.

³ Azara, *Voyages dans l’Amérique méridionale*, ii. 22.

⁴ King and Fitzroy, *Voyages of the Adventure and Beagle*, ii. 182. For other instances from South America see Rivet, ‘Les Indiens Jibaros,’ in *L’Anthropologie*, xviii. 607; Cardús, *Las Misiones Franciscanas entre los infieles de Bolivia*, p. 263 (Tobas).

⁵ Mariner, *Natives of the Tonga Islands*, ii. 167.

⁶ Pritchard, *Polynesian Reminiscences*, p. 134.

⁷ Johnstone, *Maoria*, p. 28 sq. ⁸ Codrington, *op. cit.* p. 240.

⁹ Kotzebue, *Voyage of Discovery into the South Sea*, iii. 173. Cf. Kohler, in *Zeitschr. vergl. Rechtswiss.* xiv. 423.

¹⁰ Curr, *Recollections of Squatting in Victoria*, pp. 255, 251.

Kurnai in Gippsland, Dr. Howitt states that "the man has to provide for his family with the assistance of his wife. His share is to hunt for their support, and to fight for their protection."¹ Among the North-West-Central Queensland aborigines, according to Dr. Roth, "it is the husband's business in the main to supply the animal food for the family."² In the Encounter Bay tribe in South Australia paternal care is considered so indispensable that if the father dies before the child is born, it is put to death by the mother, as there is no longer any one to provide for it.³ In his study of the South Australian natives Dr. Eylmann observes that it is also the business of the husband and father to erect the hut.⁴

The Sea Dyak women "generally regard marriage as a means of obtaining a man to work for them. A woman will often separate from her husband simply because he is lazy, and will not do his fair share of the work."⁵ Among the Barito tribes in the south-east part of Borneo it is considered to be a husband's duty to provide his wife with food and clothing and other necessities, as also to protect her from all dangers.⁶ The Nagas are not permitted to marry until they are able to set up house on their own account.⁷ Among the Eravállens, a jungle tribe in the Cochin State, "a young man is never allowed to marry unless he is able to support a wife."⁸ Among the Maldivians, "although a man is allowed four wives at one time, it is only on condition of his being able to support them."⁹

¹ Fison and Howitt, *Kamilaroi and Kurnai*, p. 206.

² Roth, *Ethnological Studies among the North-West-Central Queensland Aborigines*, p. 184.

³ Meyer, 'Manners and Customs of the Encounter Bay Tribe,' in Woods, *Native Tribes of South Australia*, p. 186.

⁴ Eylmann, *op. cit.* p. 168.

⁵ Gomes, *Seventeen Years among the Sea Dyaks*, p. 128.

⁶ Schwaner, *Borneo*, i. 199.

⁷ Stewart, 'Notes on Northern Cachar,' in *Jour. Asiatic Soc. Bengal*, xxiv. 614.

⁸ Anantha Krishna Iyer, *Cochin Tribes and Castes*, i. 44.

⁹ Rosset, 'On the Maldiv Islands,' in *Jour. Anthr. Inst.* xvi. 168 sq.

The Rock Veddas in Ceylon "acknowledge the marital obligation and the duty of supporting their own families."¹

In Nyasaland "native custom expects the husband to maintain his wife in clothes, to build the hut in which they are to live, to pay the Government tax on it, and generally to protect his spouse and treat her with reasonable confidence."² The Wasania in British East Africa prohibit a man from having more than three wives, as they consider him incapable of supporting a larger number.³ Among the Shambaa in East Africa a wife is allowed to leave her husband if he neglects to provide her with food, clothing, and a dwelling;⁴ and the like is said of the Negroes of Angola.⁵ So also among the Bavili a wife may demand dissolution of the marriage if her husband is long absent from home and fails to support her.⁶ Among the Xosa-Kafirs the father must provide for the maintenance and welfare of the members of the family.⁷

The husband and father being a supporter and protector of his family, a man is often not permitted to marry until he has given some proof of his ability to fulfil these duties.

Among the Macusis of British Guiana, before a young man is allowed to choose a wife, "he must prove that he is a man, and can do man's work. Without flinching, he suffers the infliction of wounds in his flesh; or he allows himself to be sewn up in a hammock full of fire-ants; or by some other similar tests he shows his courage. And he

¹ Tennent, *Ceylon*, ii. 441.

² Duff, *Nyasaland under the Foreign Office*, p. 317.

³ Barrett, 'Notes on the Customs and Beliefs of the Wa-Giriama, etc., British East Africa,' in *Jour. Roy. Anthr. Inst.* xli. 30.

⁴ Dahlgrün, 'Heiratsgebräuche der Schambaa,' in *Mittheil. Deutsch. Schutzgeb.* xvi. 227.

⁵ Monteiro, *Angola and the River Congo*, i. 264 sq.

⁶ Dennett, *At the Back of the Black Man's Mind*, p. 40.

⁷ Kropf, *Das Volk der Xosa-Kaffern im östlichen Südafrika*, p. 139. For other African instances see Poupon, 'Étude ethnographique des Baya de la circonscription du M'Bimou,' in *L'Anthropologie*, xxvi. 124; Vergette, *Certain Marriage Customs of some of the Tribes in the Protectorate of Sierra Leone*, p. 21 sq.

clears a space in the forest to be planted with cassava, and brings in as much game and fish as possible, to show that he is able to support himself and others."¹ Some similar exhibition of courage or the ability to support a family is required of a bridegroom in various other South American tribes.² Thus, among the Bororó every young man who wishes to marry must have killed either five peccaries or one jaguar, whilst he who kills five jaguars has the right to have two wives.³ The Indians of Pennsylvania considered it a shame for a youth to think of a wife before he had given some proof of his manhood.⁴ Among the Kinipetu and some other Eskimo in the neighbourhood of Hudson's Bay, a young man is not permitted to marry until he, through his skill in hunting and otherwise, has shown that he can support not only his wife and children, but his parents-in-law as well.⁵ The Koyúkun of Alaska believe that a man who marries before he has killed a deer will have no children.⁶

Among the Koryak and Yukaghir, according to Dr. Jochelson, the custom of serving for a bride is intended to test the young man's ability to work, the bridegroom being required to be a good hunter and fisherman and capable of doing everything necessary in a household. Among the Yukaghir, besides serving, he had to pass through another test as well:—"The prospective father-in-law would go to the woods and fell as thick a tree as he could find.

¹ Im Thurn, *Among the Indians of Guiana*, p. 221. See also v. Martius, *Beiträge zur Ethnographie Amerika's*, i. 645; Appun, 'Die Indianer von Britisch-Guayana,' in *Das Ausland*, xliv. 446.

² Crevaux, *Voyages dans l'Amérique du Sud*, pp. 307 (Apalaï, Roucouyennes), 612 (Guaraunos). Wallace, *Narrative of Travels on the Amazon and Rio Negro*, p. 498 (Uacarrás). v. Martius, *op. cit.* i. 247 (Guatós), 688 (Arawaks). Ignace, 'Les Capiékran,' in *Anthropos*, v. 477. Fernandez, *Relacion de las misiones de los Indios, que llaman Chiquitos*, p. 33. Schmidt, 'Über das Recht der tropischen Naturvölker Südamerikas,' in *Zeitschr. vergl. Rechtswiss.* xiii. 307 sq.

³ Frič and Radin, 'Contribution to the Study of the Bororo Indians,' in *Jour. Anthr. Inst.* xxxvi. 390.

⁴ Buchanan, *Sketches of the History, etc. of the North American Indians*, p. 323.

⁵ Klutschak, *Als Eskimo unter den Eskimos*, p. 233.

⁶ Dall, *Alaska and its Resources*, p. 196.

The bridegroom had to drag the trunk of the tree to the house of his future father-in-law, and throw it upon the tent, so that it would fall. Then the father-in-law would say, 'This is a good man; he will be able to support us and to care for our safety.'"¹ Among the Koryak, again, on the evening of the wedding day the parents of the bride attacked the bridegroom with sticks, after which everybody else was allowed to do the same; and only on showing himself as a man by receiving the flogging with fortitude and without making resistance was he allowed to take away the bride.² So also among some Arabs of Upper Egypt the man must undergo an ordeal of whipping by the relations of the bride in order to test his courage; and if he wishes to be considered worth having, he must receive the chastisement, which is sometimes exceedingly severe, with an expression of enjoyment.³ We shall see, however, that customs of this kind may be something else than mere tests of courage.⁴

Mr. Campbell of Selangor, in writing of the marriages of the Ulu Langat Sakai, tells us that one custom was for the relations on both sides to sit on the ground round an ant-heap, and for the bride or her father to question the bridegroom as follows:—"Are you clever with the blow-pipe?" "Can you fell trees cleverly?" "Are you a good climber?" and "Do you smoke cigarettes?" If these questions were answered in the affirmative, the bridegroom gave a cigarette to the bride and lighted one himself. They then ran round the mound three times. If the man succeeded in catching the woman the ceremony was completed, and they were declared married, whereas if he failed to catch her he tried again another day.⁵ In the Ladrone Islands the wedding took place only after the bridegroom through

¹ Jochelson, *Koryak*, p. 740. *Idem*, *Yukaghir*, p. 87 sq.

² v. Dittmar, 'Über die Koräken,' in *Mélanges russes tirés du bulletin hist.-philol. de l'Académie impér. des Sciences de St.-Petersbourg*, iii. 25. Cf. Kennan, *Tent Life in Siberia*, p. 137 sq.

³ Baker, *Nile Tributaries of Abyssinia*, p. 125.

⁴ See *infra*, on Marriage Rites.

⁵ Campbell, quoted by Skeat and Blagden, *Pagan Races of the Malay Peninsula*, ii. 67 sq.

careful tests had proved capable of maintaining a wife.¹ And according to Don Luis de Torres, no Caroline Islander "is allowed to marry until he has given proofs of his dexterity in steering a *proa*."²

Of the Atayals of Formosa,³ the Gaddanes of Luzon,⁴ the Alfoors of Ceram,⁵ the Dyaks of Borneo,⁶ and the Nagas of Upper Assam,⁷ it is reported that no man can marry without having first procured at least one human head as a token of his valour; but with reference to the Sea Dyaks, Mr. Gomes observes that this is true only of their chiefs.⁸ As to the hill tribes of Assam, Mr. Hodson is inclined to believe "that success in head-hunting was at one time, if not essential to marriage, regarded at least as a token of having passed from adolescence to maturity."⁹ The ancient Karmanians, according to Strabo, were considered marriageable only after they had killed an enemy.¹⁰ The desire of a Galla warrior is to deprive the enemy of his genitals, the possession of such a trophy being said to be a necessary preliminary to marriage.¹¹ Formerly, no Masai was able to marry until he had been on several raids.¹² Among the Wapokomo of British East Africa early marriage is, in some districts of their country, prevented by the rule that no man may marry until he has killed a crocodile, and given a part of the flesh to the woman to eat.¹³ Among the Bechuana and Kafir tribes south of the Zambesi a youth is only

¹ Meinicke, *Die Inseln des Stillen Oceans*, ii. 407. Freycinet, *Voyage autour du monde*, ii. 277 sq.

² Arago, *Voyage round the World*, ii. 16.

³ Davidson, *Island of Formosa*, p. 566.

⁴ Worcester, *Philippine Islands*, p. 439.

⁵ Bickmore, *Travels in the East Indian Archipelago*, p. 205.

⁶ Wilkes, *United States Exploring Expedition*, v. 363. Bock, *Head-Hunters of Borneo*, pp. 216, 221, &c.

⁷ Dalton, *Descriptive Ethnology of Bengal*, p. 40.

⁸ Gomes, *op. cit.* p. 74. Cf. *ibid.* pp. 73, 87.

⁹ Hodson, 'Head-Hunting among the Hill Tribes of Assam,' in *Folk-Lore*, xx. 141.

¹⁰ Strabo, *Geographica*, xv. 2. 14.

¹¹ Krapf, *Reisen in Ost-Afrika*, i. 274.

¹² Hollis, *Masai*, p. 302 n. 1.

¹³ Gregory, *Great Rift Valley*, p. 343.

allowed to take a wife after he has killed a rhinoceros,¹ and among the Auin Bushmen, after he has killed some big game.²

Among some uncivilised peoples a man is even obliged to support the girl he is going to marry from the day of their betrothal.³ Among others, again, custom requires the former husband to support his divorced wife with her children.⁴ And on a man's death the obligation of maintaining his widow often devolves on his heir, the widespread custom of a man marrying the widow of his deceased brother being, as will be seen in a subsequent chapter, not only a privilege, but among several peoples a duty incumbent upon him.

When we find in mankind a habit which it has in common with many other animal species, including those most nearly related to it, we naturally ask whether it may have a similar origin in all these cases. May we suppose that the more or less durable union between man and woman and the care which the man takes of the woman and their common offspring are due to instincts which were once necessary for the preservation of the human race? We found reasons to believe that the marital and paternal relations among the man-like apes are the results of instincts which are needed for the subsistence of the offspring, because their number is small, the period of infancy is long, and the kind of food on which the species lives and the quantity of it required prevent a gregarious mode of life. Now there can be no doubt whatever that in mankind, also, the number of children has always been comparatively very small and the period of infancy comparatively very

¹ Livingstone, *Missionary Travels*, p. 147.

² Kaufmann, 'Die Auin,' in *Mittheil. Deutsch. Schutzgeb.* xxiii. 157.

³ E.g., the Botocudos (v. Tschudi, *Reisen durch Südamerika*, ii. 283), Ladrone Islanders (Meinicke, *op. cit.* ii. 407), Fanti (Sarbah, *Fanti Customary Laws*, p. 50).

⁴ E.g., the Basuto (Endemann, 'Mittheilungen über die Sotho-Neger,' in *Zeitschr. f. Ethnol.* vi. 40), Munda Kols of Chota Nagpur (Jellinghaus, 'Sagen, Sitten und Gebräuche der Munda-Kolhs in Chota Nagpore,' *ibid.* iii. 370).

long. We have also good reasons to believe that our earliest human or half-human ancestors subsisted on essentially the same diet—chiefly but not exclusively vegetable¹—and required about the same quantities of food as the man-like apes.² Is it not likely, then, that the same causes have produced the same results in either case? The objection will perhaps be raised that man, unlike the anthropoid apes, is now an extremely social animal and could therefore, like other social animals, easily have dispensed with those marital and paternal ties which for some reason or other exist, but could hardly have been needed for the subsistence of the species. But this objection loses its force when we consider the social conditions of savages who know neither cattle-rearing nor agriculture—unless perhaps of the most primitive kind—and exclusively or almost exclusively subsist on what nature directly gives them—game, fish, fruit, roots, and so forth.

The natives of Tierra del Fuego are social in a very small degree. Snow states that “they reside in families.”³ According to Bishop Stirling, family life is exclusive among

¹ The chimpanzee has even a marked inclination for animal food (*Cambridge Natural History*, x. 576).

² Kollmann's view (see his ‘Neue Gedanken über das alte Problem von der Abstammung des Menschen,’ in *Globus*, lxxxvii. 141 sqq.) that primitive man was a pygmy who had descended from a small anthropoid at most one metre high has not been accepted (see particularly Schwalbe, ‘Zur Frage der Abstammung des Menschen,’ *ibid.* lxxxviii. 159 sqq., and in his *Studien zur Vorgeschichte des Menschen*, p. 11 sqq.). Professor Keith observes (*Antiquity of Man*, p. 498) that the great anthropoids—the gorilla, chimpanzee, and orang—“are so like man in structure of body that we must, to account for the degree of similarity, regard all of them as collateral descendants of a common stock.” He adds (*ibid.* p. 498 sq) :—“We do not hesitate to think that the anthropoids retain, to a much greater degree than man, the structure and manner of living of the ancient stock from which all four have been evolved. If, therefore, we try to form a picture of the world of ancient and primitive humanity, we must base it on the conditions now existing among anthropoids, not on those which hold for the modern world of mankind.”

³ Snow, ‘Remarks on the Wild Tribes of Tierra del Fuego,’ in *Trans. Ethn. Soc. London*, N.S., i. 264.

them. "Get outside the family," he says, "and relationships are doubtful, if not hostile. The bond of a common language is no security for friendly offices."¹ Wilkes observes that they "appear to live in families and not in tribes, and do not seem to acknowledge any chief."² Other writers tell us that among the Yahgans (who live in the southern part of the archipelago, south of the Beagle Channel to the islands off Cape Horn) and the Alacalufs (who live on the western islands) each family is perfectly independent of all the others, and that only the necessity of common defence now and then induces a few families to form small gangs without a chief.³ With reference to the former, Hyades writes, "La famille est bien constituée, mais la tribu n'existe pas, à proprement parler."⁴ In a letter to me Mr. T. Bridges gave the following account of them :—"They live in clans, called by them *ucuhr*, which means a house. These *ucuhr* comprise many subdivisions; and the members are necessarily related. But the Yahgans are a roving people, having their districts and moving about within these districts from bay to bay and island to island in canoes, without any order. The whole clan seldom travels together, and only occasionally, and then always incidentally, is it to be found collected. The smaller divisions keep more together. . . . Occasionally as many as five families are to be found living in a wigwam, but generally two families." In a printed article Mr. Bridges says that "family influence is the one great tie which binds these natives together, and the one great preventive of violence."⁵ Admiral Fitzroy observes that "scarcity of food, and the facility with which they move from one place to another in their canoes, are, no doubt, the reasons why the Fuegians are always so

¹ Stirling, 'Residence in Tierra del Fuego,' in *South American Missionary Magazine*, iv. 11.

² Wilkes, *op. cit.* i. 124.

³ Bove, *Patagonia. Terra del Fuoco*, p. 134. Lovisato, 'Appunti etnografici sulla Terra del Fuoco,' in *Cosmos di Guida Cora*, viii. 150.

⁴ Hyades, 'Ethnographie des Fuégiens,' in *Bull. Soc. d'Anthr. Paris*, ser. iii. vol. x. 333.

⁵ Bridges, 'Manners and Customs of the Firelanders,' in *A Voice for South America*, xiii. 204.

dispersed among the islands in small family parties, why they never remain long in one place, and why a large number are not seen many days in society."¹ Of the Onas, who inhabit especially the eastern part of the island of Tierra del Fuego and are a branch of the Tehuelches of Southern Patagonia,² Señor Gallardo writes that they lead a nomadic life in bands the size of which depends on the supply of food, but that they do not join in groups sufficiently large to be called tribes. He adds that every man is the chief of his family and is obeyed by its members.³ Of the Patagonian Tehuelches, who are essentially hunters without having a fixed residence, Hutchinson states that they "are divided into a number of small tribes, dispersed into families."⁴ The natives of the Patagonian Channel Region between the Magellan Straits and the Gulf of Peñas, according to Dr. Skottsberg, "live in families and have no idea of a community. Now and then some families keep together, probably those related to each other, as, for instance, two brothers with their wives and children." These Indians are still in the stone age, inhabiting a country devoid of available metals and with a climate inimical to agriculture of any kind.⁵

Of the Guayaki, on the right side of the Upper Paraná, opposite the Argentine territory Misiones, Father Vogt writes that they "live, as it seems, not in tribes but in families"; they have no agriculture but subsist chiefly on game, fish, and fruits.⁶ Von Martius states that the Guachís of the Gran Chaco and the Guatós, a tribe near the sources of the Araguaya, are for the most part scattered in families.⁷

¹ King and Fitzroy, *op. cit.* ii. 177 sq.

² Cojazzi, *Los indios del Archipiélago Fueguino*, p. 6.

³ Gallardo, *Tierra del Fuego—Los Onas*, p. 207 sq.

⁴ Hutchinson, 'Tehuelche Indians of Patagonia,' in *Trans. Ethn. Soc. N.S.* vii. 317.

⁵ Skottsberg, *Wilds of Patagonia*, p. 97. *Idem*, 'Observations on the Natives of the Patagonian Channel Region,' in *American Anthropologist*, N.S. xv. 594, 596.

⁶ Vogt, 'Material zur Ethnographie und Sprache der Guayaki-Indianer,' in *Zeitschr. f. Ethnol.* xxxiv. 35, 37.

⁷ v. Martius, *op. cit.* i. 244, 247.

Concerning the Guatós, Castelnau observes that they never unite in villages. Each family lives alone and builds for itself a hut in some inaccessible place. More than one man is never found in the same hut, for as soon as a son reaches the age of puberty he seeks a wife and makes an establishment of his own. At certain times, but only twice a year, the men assemble in places which have been fixed beforehand by their chiefs, but they remain there together for two days only.¹ According to Bates, the social condition of the Caishánas, inhabiting the forests of the Tunantins, among whom each family has its solitary hut, "is of a low type, very little removed, indeed, from that of the brutes living in the same forests."² The Marauá Indians, on the Lower Juruá, are likewise dispersed in separate families or small hordes, and so were some of the other tribes visited by Bates.³ Ehrenreich states that the southern Karayá Indians, on the Araguaya, are compelled to scatter owing to lack of food, and that in the neighbourhood of S. José small bands consisting of eight to ten individuals are still met with during the dry season. According to the same authority, the forest Indians of Amazonas, on the Purús, and the nomadic hunters on the coast, live in small gangs comprising two or three families each.⁴ Concerning the Botocudos, a Brazilian tribe on the Tocantins, v. Tschudi writes that "the family is the only tie which joins these rude children of nature with each other."⁵ Von Martius observes that travellers in Brazil often meet with a language used only by a few individuals connected with each other by relationship, who are thus completely isolated, and can hold no communication with any of their other countrymen far or near.⁶

The Togiagamiut—an Eskimo tribe of Alaska, never visited by white men in their own country until the year

¹ Castelnau, *Expédition dans les parties centrales de l'Amérique du Sud*, iii. 12 sq. See also Max Schmidt, in *Verhandl. Berliner Gesellsch. Anthr.* 1902, p. 86.

² Bates, *The Naturalist on the River Amazons*, ii. 376.

³ *Ibid.* ii. 381, 377 sq.; i. 328.

⁴ Ehrenreich, *Beiträge zur Völkerkunde Brasiliens*, p. 12.

⁵ v. Tschudi, *op. cit.* ii. 283.

⁶ v. Martius, *op. cit.* i. 46.

1880—who lead a thoroughly nomadic life, wandering from place to place in search of game or fish, appear, according to Petroff, “to live in the most perfect state of independence of each other. Even the communities do not seem bound together in any way; families and groups of families constantly changing their abode, leaving one community and joining another, or perhaps forming one of their own. The youth, as soon as he is able to build a kaiak and to support himself, no longer observes any family ties, but goes where his fancy takes him, frequently roaming about with his kaiak for thousands of miles before another fancy calls him to take a wife, to excavate a miserable dwelling, and to settle down for a time.”¹

Among the Reindeer Chukchee, in the north-eastern extremity of Asia, the family, says Dr. Bogoras, “forms the basis of the social relations between members of the tribe. Even family ties are not absolutely binding, and single persons often break them and leave their family relations. Grown-up sons frequently leave their parents and go away to distant localities in search of a fortune. . . . It may be said that a lone man living by himself forms the real unit of Chukchee society.” There are, however, camps, usually consisting of two or three families, with ten or fifteen persons together; camps of four to six families form but a slight minority, and a camp with ten houses is almost impossible unless formed for special reasons, like the temporary camps in trading-places. In most cases the camp consists of related families—for instance, of brothers, cousins, etc., with their wives and children; but each family has a house of its own. A group of kindred families, designated by the term *va'rat* (literally, “collection of those who are together”) “may perhaps be called an embryo of a clan; it is unstable, however, and the number of families that ‘are together’ changes almost every year.”² The Reindeer Koryak usually wander in groups consisting of a few families, but “it sometimes happens that separate families wander far from their native

¹ Petroff, ‘Report on the Population, Industries, and Resources of Alaska,’ in *Tenth Census of the United States*, p. 135.

² Bogoras, *Chukchee*, pp. 537, 541, 612.

places, leaving the groups to which they originally belonged for one reason or another ; as, for instance, on account of quarrels, lack of pastures in the old places for their reindeer, or the establishment through marriage of new family ties."¹ The Yukaghir, as a hunting-tribe, "frequently have to scatter in separate families, or groups of related families, in search of food."² Among the reindeer-breeders of the Northern Yenisei valley, says Miss Czaplicka, "the family is practically the social unit, though they were probably originally organised in clans. The conditions of their life prevent these people from living together in sufficient numbers to form anything like villages. They are wanderers, roaming with their herds of reindeer wherever the prospect of good hunting or fishing, combined with that of finding an abundance of moss for the herds, may lead them. Occasionally several families are found living together in two or three *chums* (tents), but this is never a permanent arrangement, nor in accordance with any customary rules."³

The forest Veddass of Ceylon only occasionally assemble in greater numbers.⁴ According to Bailey, the Nilgala Veddass, who are considered the wildest, "are distributed through their lovely country in small septs, or families, occupying generally caves in the rocks, though some have little bark huts. They depend almost solely on hunting for their support, and hold little communication even with each other."⁵ The brothers Sarasin tell us that during the dry season every family wanders about on its hunting-ground and only seldom comes into contact with its neighbours, unless induced to do so by disturbing influences from the outside. During the rainy season the various families living in the same district retire to their rock centre and stay there in their caves. The families who concentrate themselves in the same rock centre during this period form

¹ Jochelson, *Koryak*, p. 431.

² *Idem*, *Yukaghir*, p. 86.

³ Miss Czaplicka, *My Siberian Year*, p. 101.

⁴ Pridham, *Account of Ceylon*, i. 454. Hartshorne, 'Weddas, in *Indian Antiquary*, viii. 320.

⁵ Bailey, 'Wild Tribes of the Veddahs of Ceylon,' in *Trans. Ethn. Soc. N.S.* ii. 281.

a clan ; but the different clans have nothing to do with one another.¹ M. Deschamps writes, " Chaque village est formé par une ou deux huttes pour une ou deux familles, mais le plus généralement une famille s'établit seule."² To this day, says Mr. Nevill, " if one wishes to approach a Vaedda's home, one waits nearly a quarter mile off it, and shouts until the dogs bark."³

In his history of Mindanao and Sulu, published in 1667, Father Francisco Combes says that the Subanu, a sub-Visayan mountain folk of Mindanao, lack human intercourse, " living, as they do, in high, wild country, with as little sociability as animals, and having their houses placed a league apart, wherever one of them may be pleased to make himself a settlement." Nor have they in later times congregated into villages. " The family," say Messrs. Finley and Churchill, " is the governmental unit. The father is the head of the family and its absolute ruler. . . . As soon as the young men take to themselves wives they break away from the old family home and establish new family units at remote points, where they can enjoy all the freedom of their peculiar nomadic life." They have associations or confederations of families forming communities, each under the leadership of a *timuai*, or chief. But " family rights are supreme and therefore the right of secession from the community inheres in the head of the family." The Subanu draws his sustenance from the earth by primitive agricultural methods ; " he seeks the isolated and wildest portions of the interior and relies upon his strength and native ingenuity to cope with nature and wring from it a means of living for himself and his family."⁴ The Negritos of Northern Luzon, most of whom do not practise agriculture at all, are said to be " usually scattered here and there through the forest, although occasionally a group of one or two dozen will be

¹ Sarasin, *Ergebnisse naturwissenschaftlicher Forschungen auf Ceylon*, iii. 476, 477, 481, 485.

² Deschamps, ' Les Veddas de Ceylan,' in *L'Anthropologie*, ii. 305.

³ Nevill, ' Vaeddass of Ceylon,' in *Taprobanian*, i. 186.

⁴ Finley and Churchill, *Subanu. Studies of a Sub-Visayan Mountain Folk of Mindanao*, pp. 12, 15, 24 sq.

found together";¹ or to live in small hordes of twenty to thirty persons, who recognise no other ties but those of the family.² The Kubus of Southern Sumatra, who chiefly subsist on game and fish and the products of the forest though they also practise a kind of primitive agriculture, are said by Volz to live, as a rule, in settlements of one or two families each, which are spread over a very wide area. They seldom come together in small hordes.³

Among the Orang Muka Kuning, of the Orang Laut in Malacca, who neither cultivate any plants nor breed any animals save dogs, the families "live scattered in the forest in small huts beneath the trees."⁴ Of the Orang Semang Vaughan Stevens says that they are true nomads who never remain long at the same place, and that even the families among them dissolve, to reunite again afterwards. Dr. Martin quotes this with approval,⁵ and makes the general statement that the pure tribes of the Malay Peninsula "always live in small groups only, consisting of one to at most six families. . . . These family groups form the separate hordes, which are in the habit of nomadising together but also on occasion separate from one another." Every family erects a shelter or hut for itself; at their halting-places more than two or three huts are seldom seen together, each inhabited by two to seven individuals. Thus "the separate family (*Sonderfamilie*) forms everywhere the fundamental element, which grows into a family group (*Grossfamilie*)" with the eldest man as its regular chief. The connection between the different family groups is exceedingly loose, and there is no such organisation as a phratry or a tribe.⁶

¹ Worcester, 'Non-Christian Tribes of Northern Luzon,' in *Philippine Journal of Science*, i. 808 sq.

² Blumentritt, *Versuch einer Ethnographie der Philippinen*, p. 8. Meyer, *Die Philippinen. II. Negritos*, p. 15.

³ Volz, 'Zur Kenntniss der Kubus in Südsumatra,' in *Archiv f. Anthropol.* N.S. vii. 98, 100, 107.

⁴ Logan, 'Orang Muka Kuning,' in *Jour. Indian Archipelago*, i. 337 n. *

⁵ Martin, *Die Inlandstämme der Malayischen Halbinsel*, p. 861.

⁶ *Ibid.* p. 859 sqq

The Bushmen of South Africa, according to Mr. McCall Theal, "lived in little communities, often consisting of only a few families. It was impossible for a large number, such as would constitute an important tribe, to gain a subsistence solely from the chase and the natural products of the earth in any part of South Africa at any time, and more especially after the Hottentots and the Bantu had taken possession of the choicest sections."¹ Fritsch observes that they are almost entirely devoid of a tribal organisation, and that even when a number of families occasionally unite in a larger horde the association is more or less accidental and not regulated by any law.² The families that thus associate are now and then obliged to disperse, as the same spot will not afford sufficient sustenance for all; "the smaller the number, the easier is a supply of food procured."³ Indeed, a horde frequently consists of the different members of one family only, at least if the children are old and strong enough to help their parents to find food.⁴ There may be a chief in the horde, but his power is hardly greater than that of any other man who rules over his own wife and children—and over the latter only before they are grown-up.⁵ Of the Auin, who belong to the Kalahari Bushmen, Kaufmann states that the size of the settlement depends on the circumstances: during the dry season it is mostly formed by one or two families only, whereas towards the end of and shortly after the rainy period, when food is more plentiful, even as many as thirty families may join into one "village." The dwellings are of the most primitive character.⁶ Among the Tati Bushmen—who inhabit the Bechuanaland Protectorate, the Kalahari, and the portions of Southern Rhodesia

¹ Theal, *History of the Boers in South Africa*, p. 17.

² Fritsch, *Die Eingeborenen Süd-Afrika's*, p. 443 sq.

³ Lichtenstein, *Travels in Southern Africa*, ii. 49, 194.

⁴ *Ibid.* i. 48. Thulié, 'Instructions sur les Bochimans,' in *Bull. Soc. d'Anthr. Paris*, ser. iii. vol. iv. 409 sq.

⁵ Schinz, *Deutsch-Süd-West-Afrika*, p. 396. v. François, *Nama und Damara Deutsch-Süd-West-Afrika*, p. 234. Passarge, 'Die Buschmänner der Kalahari,' in *Mittheil. Deutsch. Schutzgeb.* xviii. 213, 271 sqq. Kaufmann, 'Die Auin,' *ibid.* xxiii. 154 sq.

⁶ Kaufmann, *loc. cit.* pp. 136, 138.

adjoining these territories—a few “clans or families may combine in the face of danger, but the combination soon comes to an end as soon as the danger is past. They never seem to feel the need of unity. Each family goes its own way, and the father is a despot as long as he can maintain his position.” Our informant has “seldom seen more than four families numbering twenty-two individuals together, and this was a camp at permanent water.”¹ From all that has been said it is obvious that among the Bushmen, also, the family consisting of parents and children is the fundamental and, so far as living together is concerned, among many of them at least, the only permanent social unit.²

The Central African Pygmies live in communities of variable size. Hutereau speaks of groups of two to twenty families, subject to the rule of a family chief; but “parfois plusieurs groupes de familles se réunissent pour se déplacer et pour chasser ensemble.”³ Stuhlmann found “villages,” consisting of two to four huts and others consisting of one to two hundred.⁴ Each hut seems to be occupied by one family only, and the people forming a community are probably, as a rule, branches of the same parent family.⁵ David says that the Wambutti of Ituri live in patriarchal family groups.⁶ According to Casati, the huts serving as family dwellings “are usually scattered in the forests, or over the hills,” and seldom form a village; but he also found a good many families living without any shelter at all on the side of a stream or in the thickets of the forest.⁷ If the communities

¹ Dornan, ‘Tati Bushmen (Masarwas) and their Language,’ in *Jour. Roy. Anthr. Inst.* xlvii. 47, 53.

² See also Passarge, *loc. cit.* p. 213 sq.; Trenk, ‘Die Buschleute der Namib, ihre Rechts- und Familienverhältnisse,’ in *Mittheil. Deutsch. Schutzgeb.* xxiii. 166, 168; Moffat, *Missionary Labours and Scenes in Southern Africa*, p. 56.

³ Hutereau, *Notes sur la Vie familiale et juridique de quelques populations du Congo Belge*, p. 1.

⁴ Stuhlmann, *Mit Emin Pascha ins Herz von Afrika*, p. 449.

⁵ Schmidt, *Die Stellung der Pygmäenvölker in der Entwicklungsgeschichte des Menschen*, pp. 61, 62, 187, 192.

⁶ David, ‘Notizen über die Pygmäen des Ituriwaldes,’ in *Globus*, lxxxvi. 196.

⁷ Casati, *Ten Years in Equatoria*, i. 157 sq.

of the Central African Pygmies are more permanent than those of many other peoples who have now come under our notice, the reason for it is no doubt their richer food supply. They are skilful bowmen and exceptionally expert as hunters ;¹ and while they do not themselves cultivate the soil, they get from their neighbours corn, bulbs and other vegetable food in exchange for products of the chase, or, more simply still, make raids on their fields and carry off what they want.² Junker says of the Akkas that " they are feared by all their neighbours, and despite their thievish habits, permitted to frequent the cultivated grounds." ³

Among the Australian aborigines, who also are a race of hunters and food-collectors without agriculture and cattle-rearing, we find a much more definite social organisation than among any other people in the same state of economic culture. But what interests us in this connection is not their social organisation in general, but their actual manner of living. They live in hordes ; and here again we find that the size of the horde is regulated by the food supply. It has been remarked that where the country is sterile and unproductive the natives congregate in small numbers, whereas in fertile districts they are comparatively numerous.⁴ The horde or tribe has always a tendency to break up for a time in search of food. In his book on the aborigines of Victoria, Mr. Brough Smyth remarks that " in any large area occupied by a tribe, where there was not much forest land, and where kangaroos were not numerous, it is highly probable that the several families composing the tribe would withdraw from their companions for short periods, at certain seasons, and betake themselves to separate portions of the area, . . . and it is more than probable—it is almost certain—that each head of a family would betake himself,

¹ Junker, *Travels in Africa during the Years 1882–1886*, p. 85. *Emin Pasha in Central Africa*, p. 316.

² v. Wissmann, Wolf, v. François, and Mueller, *Im Innern Afrikas*, p. 261. *Emin Pasha in Central Africa*, p. 316. Casati, *op. cit.* i. 159.

³ Junker, *op. cit.* p. 85.

⁴ Wilhelmi, 'Manners and Customs of the Australian Natives,' in *Trans. Roy. Soc. Victoria*, v. 165.

if practicable, to that portion which his father had frequented."¹ Among the natives of Victoria and Riverina, according to Beveridge, "a family, or perhaps several families, as the case may be, select a site for their camp, where abundance of game and other sources of food exist, and are procurable with the least expenditure of time and trouble."² Concerning the Encounter Bay tribe in South Australia, the Rev. A. Meyer tells us that "the whole tribe does not always move in a body from one place to another, unless there should be abundance of food to be obtained at some particular spot; but generally they are scattered in search of food."³ The natives of Port Jackson, in New South Wales, when visited by Captain Hunter at the end of the eighteenth century, were associated in tribes of many families living together, apparently with one fixed residence. Yet, he says, "you may often visit the place where the tribe resides, without finding the whole society there; their time is so much occupied in search of food, that the different families take different routes; but, in case of any dispute with a neighbouring tribe, they can soon be assembled."⁴ Speaking of the six tribes living on the immediate banks of the MacLeay River near Port Macquarie in New South Wales, Hodgkinson observes that the whole body of a tribe, containing on an average from eighty to a hundred men and women, exclusive of children, "is never united on the same spot, unless on some important occasion. . . . They are more generally divided into small parties of eight or ten men, with their women and children, for the convenience of hunting, &c., and these detached companies roam over any part of the country within the prescribed limits of the main tribe to which they belong."⁵

¹ Brough Smyth, *Aborigines of Victoria*, i. 146 sq.

² Beveridge, *Aborigines of Victoria and Riverina*, p. 32.

³ Meyer, 'Manners and Customs of the Aborigines of the Encounter Bay Tribe,' in Woods, *Native Tribes of South Australia*, p. 191.

⁴ Hunter, *Historical Journal of the Transactions at Port Jackson and Norfolk Island*, p. 62.

⁵ Hodgkinson, *Australia, from Port Macquarie to Moreton Bay*, p. 222.

Whether assembled or scattered, the families belonging to the same community form distinct and very marked social units among the Australian natives.¹ Mr. Stanbridge, who spent eighteen years in the wilds of Victoria, states that the land of each tribe is parcelled out amongst families and carefully transmitted by direct descent; and so sacredly are these boundaries maintained that the member of no single family will venture on the lands of a neighbouring one without invitation.² Mr. Curr remarks that among the Bangerang in Victoria, and all other tribes he has known, each married couple had their own *nia-nia* or hut, although unmarried men and boys of eight or ten years and upwards lived together, and separate from their parents and sisters, in the bachelors' camp.³ Concerning the Gournditch-mara, Dr. Howitt says that "each family camped by itself."⁴ Among the Central Australian Arunta, who are distributed in a large number of small local groups each of which occupies a given area of country and has its own headman, every family, consisting of a man and one or more wives and children, has a separate lean-to of shrubs.⁵ There are similar statements relating to many other tribes.⁶ Of the Kabi and Wakka tribes in Queensland, Mr. Mathew states that "the family, consisting of husband and wife, or wives, with their children, constituted a distinct social unit. They occupied the same *gunyah* (dwelling), they ate together, they travelled together."⁷ Bishop Salvado writes of West Australian natives, among whom he spent most part of his life, that they, "au lieu de se gouverner par tribus, paraissent

¹ See Malinowski, *The Family among the Australian Aborigines*, *passim*.

² Stanbridge, 'Tribes in the Central Part of Victoria,' in *Trans. Ethn. Soc. N.S. i.* 286 sq.

³ Curr, *Recollections of Squatting in Victoria*, pp. 259, 277.

⁴ Fison and Howitt, *Kamilaroi and Kurnai*, p. 278.

⁵ Spencer and Gillen, *Native Tribes of Central Australia*, pp. 8, 10, 18.

⁶ Westgarth, *Australia Felix*, p. 87 (natives of New South Wales). Henderson, *Excursions and Adventures in New South Wales*, ii. 109. Mathews, *Ethnological Notes on the Aboriginal Tribes of N. S. Wales*, p. 99.

⁷ Mathew, *Two Representative Tribes of Queensland*, p. 153.

se gouverner à la manière patriarcale : chaque famille, qui généralement ne compte pas plus de six à neuf individus, forme comme une petite société, sous la seule dépendance de son propre chef. . . . Chaque famille s'approprie une espèce de district, dont cependant les familles voisines jouissent en commun si l'on vit en bonne harmonie."¹

It seems extremely probable that Australian blacks commonly are so much more sociable than most other hunting and food-collecting peoples because the food-supply of their country is naturally more plentiful, or, partly thanks to their boomerangs, more easily attainable. Speaking of West Australian natives, Calvert observes that they, as a rule, have an abundance of food, "although they may run a little short in the height of the rainy season, or when they are overcome with laziness in very hot weather."² A Central Australian native is, generally speaking, well nourished; "kangaroo, rock-wallabies, emus, and other forms of game are not scarce, and often fall a prey to his spear and boomerang, while smaller animals, such as rats and lizards, are constantly caught without any difficulty by the women."³ Yet, as we have seen, separate families are often compelled to walk about in search of food, and the father has on these occasions an essential function to fulfil both as protector and maintainer of his family.

Our knowledge of the Tasmanians, now an extinct race which was neither agricultural nor pastoral, is very defective. Captain Furneaux, who accompanied Cook on his second voyage as commander of the *Adventure*, wrote that they wandered about in small parties from place to place in search of food, and that more than three or four huts, only capable of containing three or four persons each, were never found in the same place.⁴ O'Connor says that they travelled in parties of ten to thirty,⁵ and Mrs. Prinsep that they moved

¹ Salvado, *Mémoires historiques sur l'Australie*, p. 265 sq. *Idem*, *Voyage en Australie*, p. 178.

² Calvert, *Aborigines of Western Australia*, p. 24.

³ Spencer and Gillen, *op. cit.* pp. 7, 44.

⁴ Cook, *Voyage towards the South Pole*, i. 114.

⁵ O'Connor, quoted by Ling Roth, *Aborigines of Tasmania*, p. 105.

"in large bodies, with incredible swiftness."¹ Each tribe was divided into several families, consisting of a few individuals, and wherever they located themselves each family kindled its separate fire "at fourteen to twenty yards apart."² It also "hunted separately, and erected a hut for its own accommodation."³

From this survey of facts it appears that among modern savages living in the hunting and food-collecting stage, or at most acquainted with some primitive mode of agriculture, the family consisting of parents and children is a very well-marked social unit. Yet it is certainly not the only association among them. If travellers speak of the family tie as the only one which joins individuals with one another, they without doubt use the term "family" in a wider sense. Closely related families not only hold friendly relations with each other, but live together in smaller or larger groups; and there may be social organisations of a more comprehensive character, as among the Australian natives. At the same time, it is repeatedly stated that the families belonging to the same group do not always keep together, but often disperse in search of food and may remain separated even for a considerable time; and this is the case not only in desolate regions where the supply of food is unusually scarce, but even in countries highly favoured by nature. Now I ask: is it reasonable to suppose that primitive men were more permanently gregarious than many modern savages? The answer must be: they were undoubtedly less. Let us remember that all savages now existing stand high above our earliest human ancestors. Man, as we know him, has—to quote Darwin—"invented and is able to use various weapons, tools, traps, &c., with which he defends himself, kills or catches prey, and otherwise obtains food. He has made rafts or canoes for fishing or crossing over to neigh-

¹ Mrs. Prinsep, *Journal of a Voyage from Calcutta to Van Diemen's Land*, p. 78.

² Backhouse, *Narrative of a Visit to the Australian Colonies*, p. 104. Lloyd, quoted by Ling Roth, *op. cit.* p. 107.

³ West, *History of Tasmania*, ii. 82.

bouring fertile islands. He has discovered the art of making fire, by which hard and stringy roots can be rendered digestible, and poisonous roots or herbs innocuous.”¹ In short, he has gradually found out many new ways of earning his living which his ruder ancestors had no idea of, and has thus more and more emancipated himself from direct dependence on surrounding nature. If this notwithstanding there are still so many savage peoples among whom the separate families often are compelled to give up the protection afforded them by living together, in order to find the food necessary for their subsistence, I think we have reason to believe that the family, implying marital and paternal care, was hardly less indispensable for primitive man than it is for the gorilla and chimpanzee. If this was the case, the family may have been an inheritance from the parent species out of which the Anthropoids and the Hominides—the *Pithecanthropus*, *Homo primigenius*, and *Homo sapiens*, according to Schwalbe²—gradually developed. This may be supposed to have been the case if that hypothetical species lived on the same diet as the man-like apes, or even on a diet somewhat more animal than that of the chimpanzee, and also, being of a comparatively large size, required about the same quantities of food as they; if, further, it gave birth to the same small number of young; and if its offspring were in need of parental care for a comparatively long period. I want to emphasise that it is on such factors, and not merely on the habits of the gorilla and the chimpanzee as they are, that I base my supposition that the family consisting of parents and children existed among primitive man.

I have so far spoken of habits, not of institutions. But there is an intimate connection between them. Social habits have a strong tendency to become true customs, that is, rules of conduct in addition to their being habits. A habit may develop into a genuine custom simply because

¹ Darwin, *Descent of Man*, i. 72.

² Schwalbe, *Studien zur Vorgeschichte des Menschen*, p. 3.

men are inclined to disapprove of anything which is unusual.¹ But in the present case the transition from habit to custom has undoubtedly a deeper foundation. It is an instinct that induces the male to remain with the female and to take care of her even after the sexual relations have ceased. We may assume that the tendency to feel some attachment to a being which has been the cause of pleasure, in the present case sexual pleasure, is at the bottom of this instinct. Such a feeling may originally have caused the sexes to remain united and the male to protect the female though the sexual desire was gratified ; and if procuring great advantage to the species in the struggle for existence, conjugal attachment would naturally develop into a specific characteristic. An instinct must also be the cause of the care which the father takes of his offspring ; the paternal feeling seems to be hardly less prevalent among savages than among civilised men.² This feeling, however, and also the kindred feeling of maternal love, are not quite adequately defined as the affection which attaches a creature to its young. Though most frequently and most strongly displayed in this relation, the so-called parental feeling is really excitable apart from parenthood, as Spencer justly observed. According to him, the common trait of the objects which arouse it is always relative weakness or helplessness.³ But this explanation contains only part of the truth ; even in a gregarious species mothers make a distinction between their own offspring and other young. To account for the maternal sentiment we must therefore assume the existence of some other stimulus besides the signs of helplessness, which produces, or at least strengthens, the instinctive motor response in the mother. This stimulus, so far as I can see, is rooted in the external relationship in which the helpless offspring from the beginning stand to the mother, being in close proximity to her from their tenderest age. And the stimuli to which the

¹ See my *Origin and Development of the Moral Ideas*, i. 159.

² *Ibid.* i. 529 sqq.

³ Spencer, *Principles of Psychology*, ii. 623 sq. See also Hartley, *Observations on Man*, i. 497.

paternal instinct responds are apparently derived from the same circumstances as those which call into activity the maternal instinct, that is, the helplessness and the nearness of the young. Wherever this instinct exists the father is near his offspring from the beginning, living together with the mother. Of course I here speak of the parental feelings only in their original simplicity ; later on they become more complex, through the association of other feelings, as those of property and pride, and tend to extend themselves beyond the limits of infancy and childhood.¹

In mankind these instincts give rise not only to habits but to rules of custom, or institutions. Social beings endowed with such instincts, as also with a sufficiently developed intellect, would feel moral resentment against a man who forsakes the woman with whom he has conjugal intercourse and the offspring resulting from it. And, as I have pointed out in another work, public or moral resentment or disapproval is at the bottom of the rules of custom and of all duties and rights.² Thus the institutions of marriage and the family have the same root as the habits with which I have been dealing in this chapter ; indeed these institutions and habits are practically identical, except that in the one case there is social sanction or regulation and in the other not. Now as the word "family" is not merely used to denote a certain institution, I think we may be allowed to apply the term "marriage" also in a broader sense than that given to it above. We may alternatively define it as a more or less durable connection between male and female lasting beyond the mere act of propagation till after the birth of the offspring. This definition lays stress on the highly important fact, only too often overlooked by sociologists, that there is a vital difference between marriage and merely sexual relations, even though these be sanctioned by custom. It also implies living together—in agreement with the mediæval saying, "Boire, manger, coucher ensemble est

¹ See Westermarck, *op. cit.* ii. 188-191, 193.

² See *ibid.* i. 118-122, 135-137, 139 *sqq.* For the characteristics and origin of moral disapproval see *ibid.* vol. i. ch. ii. p. 21 *sqq.*

mariage, ce me semble.”¹ And though rather vague, which is a matter of course, it has the advantage of comprehending in one notion facts which are essentially similar in nature and have a similar origin. The marriage of mankind, as we have seen, is not an isolated phenomenon, but has its counterpart in many other animal species and is probably an inheritance from some pre-human ancestor. It is in order to emphasise this that I have called my book “the history of *human* marriage,” although I shall throughout deal with unions which are, or may be supposed to be, sanctioned by custom or law.

From what has been said above it appears that marriage and the family are most intimately connected with one another: it is originally for the benefit of the young that male and female continue to live together. We may therefore say that marriage is rooted in the family rather than the family in marriage. Indeed, among many peoples true married life does not begin for persons who are formally married or betrothed, or a marriage does not become definite, until a child is born or there are signs of pregnancy; whilst in other cases sexual relations which happen to lead to pregnancy or the birth of a child are, as a rule, followed by marriage or make marriage compulsory.

Thus among the Fuegians² and the Eastern Greenlanders³ marriage is not regarded as complete until the woman has become a mother. Among the Lengua Indians of the Paraguayan Chaco “there is only a marriage on approval, corresponding to our engagement, although the couple live together. No marriage is considered binding by native law until a child is born, and if this does not take place within a

¹ Schäffner, *Geschichte der Rechtsverfassung Frankreichs*, iii. 186. Among the Maori, according to Mr. Tregear (*The Maori Race*, p. 293), marriage was merely alluded to as a “dwelling-together,” or a “sleeping-together.” The Timagami (Ojibway) term for husband and wife, which is used reciprocally, means “the one who lives with me” (Speck, *Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley*, p. 24).

² Hyades and Deniker, *Mission scientifique du Cap Horn*, vii. 377 sq.

³ ‘East Greenland Eskimo,’ in *Science*, vi. 172.

reasonable time they are justified in separating. But when once a child is born to them, even should the child die or be put to death, they are considered to be bound to each other for life."¹ Among the Bororó, of Central Brazil, a man after his marriage stays in the house of the bride until he has a family of his own, when he builds a house for himself.² In some Canadian tribes a married man was obliged to go to his father-in-law's house to find his wife when he had a mind to her company, until she brought forth a child; then only she went to live with her husband.³ Among the Aleut the wife stays at her father's home for a certain time or until the birth of a child; the husband is at liberty to visit her, but not to remove her to his own village until the expiration of the customary period, unless a child be born meanwhile.⁴ Among the Atkha Aleut a husband does not pay the purchase sum before he has become a father.⁵

Of the Tsalisens of Formosa we are told that, "after matters have been definitely arranged, a month is allowed to intervene, and then on an appointed day the suitor visits the house of his intended and a simple ceremony sanctions the right of the couple to come together. The woman remains at the home of her mother until a child is born, when she removes to the home of her husband, and the marriage is then considered to have been effected. Should she be without issue, however, her suitor ceases to call, and all familiarity between the couple comes to an end. Both parties are now free to seek a mate elsewhere."⁶ Among the Sea Dyaks of Borneo "intercourse often takes place between those who have been betrothed, but not formally married, simply to ascertain if the marriage will be fruitful. At the first signs of the desired result the marriage ceremony takes place."⁷

¹ Grubb, *An Unknown People in an Unknown Land*, p. 214.

² Frič and Radin, in *Jour. Anthr. Inst.* xxxvi. 390.

³ Lahontan, *New Voyages to North-America*, p. 457.

⁴ Veniaminov, trans. by Golder, in *Jour. American Folk-Lore*, xx. 134.

⁵ Erman, 'Ethnographische Wahrnehmungen an den Küsten des Berings-Meeress,' in *Zeitschr. f. Ethnol.* iii. 162.

⁶ Davidson, *op. cit.* p. 573.

⁷ Gomes, *op. cit.* p. 127. Brooke Low, quoted by Ling Roth, *Natives of Sarawak*, i. 115.

Among the aborigines of North-West-Central Queensland a wife who happens to be but of *kanari* or *kati-kati maro* rank at the time of marriage neither prepares nor cooks her husband's food, and it is only after the birth of her first child that she remains at her husband's apartment permanently.¹ In some other Australian tribes a man may, at least in certain circumstances, retain as his wife a girl with whom he has eloped, if they stay away until a child is born.²

Among the Badágas of the Nilgiris in Southern India the marriage bond is not really sealed until the fifth month of the first pregnancy, when the relatives are invited to be present at the ceremony of tying the marriage emblem round the neck of the woman.³ Among the Mezeyne tribe of Bedouins within the limits of the Sinai peninsula the bride runs away and is caught by the bridegroom, after which she flees back to her home and does not enter her husband's tent until she becomes far advanced in pregnancy.⁴

Concerning the Wolofs in Senegambia, Béranger-Féraud writes, "Ce n'est que lorsque les signes de la grossesse sont irrécusables chez la fiancée, quelquefois même ce n'est qu'après la naissance d'un ou plusieurs enfants, que la cérémonie du mariage proprement dit s'accomplit."⁵ Among the Siéna in the French Sudan "la famille n'est jugée réellement existante que lorsqu'elle comprend des enfants."⁶ Among the Southern Bambala in Congo "the marriage seems to become definite only when a child is expected, for then conjugal fidelity becomes obligatory on both parties, as the child is otherwise supposed to die, and deaths of infants are generally attributed to this cause."⁷ Dr. Felkin states that

¹ Roth, *op. cit.* p. 180 sq.

² Howitt, *Native Tribes of South-East Australia*, pp. 259, 263.

³ Thurston, 'Badágas of the Nilgiris,' in the Madras Government Museum's *Bulletin*, ii. 3 sq. See also Harkness, *Neilgherry Hills*, p. 116.

⁴ Burckhardt, *Notes on the Bedouins and Wahábys*, p. 153.

⁵ Béranger-Féraud, 'Le mariage chez les nègres Sénégalais,' in *Revue d'anthropologie*, 1883, p. 286 sq.

⁶ Delafosse, 'Le peuple Siéna ou Sénoufo,' in *Revue des études ethnographiques et sociologiques*, i. 483.

⁷ Torday, *Camp and Tramp in African Wilds*, p. 203.

among the For tribe of Central Africa the husband lives with his wife at his father-in-law's place until his first child is born, when he is permitted to take her away and set up housekeeping on his own account; and during the whole of this time the father-in-law has to pay all housekeeping expenses for the young couple, the husband being entitled to three meals during each night.¹ Among various other peoples the husband takes up his abode with his father-in-law and never removes his wife till after the birth of a child.² Among the Khasis in Assam the husband goes to live in his mother-in-law's house, but after one or two children are born and if the married couple get on well together, he frequently takes away his wife and family to a house of his own.³ Among some of the Old Kuki clans a young man has to serve his future wife's father for three years; during this time he has free access to the girl, and should she become *enceinte* the marriage ceremony must be performed and the price paid.⁴

In many countries, including various parts of Europe, the occurrence of pregnancy or child-birth is a usual preliminary to, or as a general rule leads to, marriage.⁵ We are often

¹ Felkin, 'Notes on the For Tribe of Central Africa,' in *Proceed. Roy. Soc. Edinburgh*, xiii. 229.

² E.g., the Omaha (James, *Account of an Expedition from Pittsburgh to the Rocky Mountains*, i. 242 sq.), the Ainu of Yesso (v. Siebold, *Die Aino auf Yesso*, p. 31), one of the aboriginal tribes of China (Gray, *China*, ii. 304), the Khyens (Rowney, *Wild Tribes of India*, p. 203 sq.), the Wasania of British East Africa (Barrett, in *Jour. Roy. Anthr. Inst.* xli. 30 sq.), some of the Dinka (Cummins, 'Sub-tribes of the Bahr-el-Ghazal Dinkas,' in *Jour. Anthr. Inst.* xxxiv. 151).

³ Gurdon, *op. cit.* p. 76.

⁴ Shakespear, *Lushei Kuki Clans*, p. 154.

⁵ Cardús, *op. cit.* p. 71 (Guarayos of Bolivia). Gait, *Census of India*, 1911, vol i. (India) Report, p. 243 (aboriginal tribes). Hutchinson, *Account of the Chittagong Hill Tracts*, p. 23. Kloss, *In the Andamans and Nicobars*, p. 188 (Andamanese). Strzoda, 'Die Li auf Hainan,' in *Zeitschr. f. Ethnol.* xliii. 203 (Chinese tribes). Jenks, *Bontoc Igorot*, p. 66. Martin, *Reisen in den Molukken*, p. 63 (natives of Amboyna and Uliase). Pfeil, *Studien und Beobachtungen aus der Südsee*, p. 31 (natives of the Bismarck Archipelago).

told that a seducer or lover is compelled to marry the girl if she becomes with child;¹ but he may also have the alternative of paying a fine.² In many of the wild tribes of Borneo, for instance, there is almost unrestricted intercourse between the young people of both sexes, but if pregnancy ensues marriage is considered necessary.³ Dr. A. Bunker told me the same of certain Karen tribes in Burma. Among the Wanyamwezi, between Zanzibar and Tanganyika, a man who renders a girl *enceinte* and does not marry her before the child is born "is bound to pay for the woman and also for the child about three times the value of the ordinary dowry."⁴ In Tahiti, according to Cook, the father might kill his natural child, but if he suffered it to live the parties were considered to be in the married state.⁵ Dr. Rivers states that in Tikopia, "when the illicit intercourse of a youth and girl of the ordinary people results in offspring, the pair usually marry and if

¹ Lumholtz, *Unknown Mexico*, i. 466 (Tepehuane). Endle, *Kacháris*, p. 31. Thurston, *Castes and Tribes of Southern India*, i. 248 (Billavas of the South Canara district); vii. 348 (Vélans of the Cochin State). Anantha Krishna Iyer, *op. cit.* i. 60 sq. (Ulladans of the Cochin State). Emin Pasha in Central Africa, p. 103 (Mádi and some other Central African peoples). Cunningham, *Uganda and its Peoples*, p. 140 (Bavuma). Tremearne, 'Notes on the Kagoro and other Nigerian Head-Hunters,' in *Jour. Roy. Anthr. Inst.* xlii. 169. Among the Basoga (Roscoe, *Northern Bantu*, p. 233) and Thonga (Junod, *Life of a South African Tribe*, ii. 97) the man is asked to marry the girl.

² Geis, quoted by Rose and Brown, 'Lisu (Yawyin) Tribes of the Burma-China Frontier,' in *Memoirs Asiatic Soc. Bengal*, iii. 263. Taupin, reviewed in *L'Anthropologie*, ii. 488 (Laosians). Hutchinson, *op. cit.* p. 23 (Chittagong Hill tribes). Soppitt, *Kuki-Lushai Tribes on the North-East Frontier*, p. 15 (Nagas and Kukis). Baumann, *Durch Massailand*, p. 161. Felkin, *loc. cit.* p. 208 (Fors).

³ St. John, 'Wild Tribes of the North-West Coast of Borneo,' in *Trans. Ethn. Soc. N.S.* ii. 237. Low, *Sarawak*, p. 195. Wilken, 'Plechtigheden en gebruiken bij verlovingen en huwelijken bij de volken van den Indischen Archipel,' in *Bijdragen tot de taal-, land- en volkenkunde van Nederlandsch-Indië*, ser. v. vol. iv. 442. Hose and McDougall, *Pagan Tribes of Borneo*, ii. 170 (Kayans), 183 (Punans).

⁴ Declé, *Three Years in Savage Africa*, p. 348.

⁵ Cook, *Voyage to the Pacific Ocean*, ii. 157.

they do so there would be no slur on the child. Should the man refuse to marry in such a case, the child would be killed as soon as born."¹

To the hypothesis set forth in this chapter as regards the origin of human marriage the objection will perhaps be raised that I have overlooked one most important difference which exists among man and the lower animals. "That which distinguishes man from the beast," Beaumarchais says, "is drinking without being thirsty and making love at all seasons." Where love-making is restricted to a certain season only, it cannot, of course, be the sexual impulse that keeps male and female together till after the birth of the offspring; but the case is different with a species that pairs throughout the year. It may be argued, therefore, that in mankind the prolonged union between the sexes has originated, not in any specific instinct of the kind suggested above, but simply in a protracted tendency to procreation. Although this argument would still leave the father's relation to the offspring unexplained, it cannot be ignored. The permanency or periodicity of the sexual life must certainly affect the relations between the sexes. But when the question is whether this factor has played a part in the origin of human marriage, we must first consider the legitimacy of the assumption that our early human or semi-human ancestors, like ourselves, made love at all seasons. The next chapter will be devoted to this problem.

¹ Rivers, *History of Melanesian Society*, i. 310.

CHAPTER II

A HUMAN PAIRING SEASON IN PRIMITIVE TIMES

It has been assumed by some physiologists that the periodicity in the sexual life of animals depends upon economic conditions, the reproductive matter being a surplus of the individual economy. Hence, it is said, their sexual season occurs when the proportion between receipts and expenditure is most favourable.¹

According to Mr. Heape, on the other hand, the sexual season is governed by a variety of influences. It may be influenced by the climate of the region in which the animal lives, by the seasons of the year when these are of marked variation, and by the supply of food, or possibly by the nature of the food, obtainable ; by special nervous, vascular, and secretory peculiarities of the individual and its habits of life ; and by the length of gestation, the claims of the newly-born offspring on the mother, and her powers of recuperation.²

There can, of course, be no doubt that the periodicity in question is closely connected with certain conditions

¹ Leuckart, 'Zeugung,' in Wagner, *Handwörterbuch der Physiologie*, iv. 862. Gruenhagen, *Lehrbuch der Physiologie*, iii. 528. Cf. Haycraft, 'Some Physiological Results of Temperature Variations,' in *Trans. Roy. Soc. Edinburgh*, xxix. 130.

² Heape, 'The "Sexual Season" of Mammals and the Relation of the "Pro-œstrum" to Menstruation,' in *Quarterly Jour. Microscop. Science*, N.S. vol. xlv. pt. i. 16 sqq.

prevailing in the particular season when the pairing takes place ; but it seems to me equally obvious that the sexual functions are, at least to some extent, affected by different conditions in different species. This is shown by the fact that every month or season of the year is the pairing time of one or another species of Mammals.¹ The sexual season is adapted to the requirements of each species. It is fundamentally governed by the law that the young shall be born at the time which is most favourable for their survival ; and the influence of seasonal conditions upon the sexual functions, and the length of the period of gestation, are subordinate to this law. The periodicity in the sexual life of animals is the result of natural selection.

This explains why Reptiles, Birds, and many Mammals bring forth their young early in spring, or, in tropical countries, at the beginning of the rainy season ; the period then commences when life is more easily sustained, when prey is most abundant, when there is enough water and vegetable food, and when the climate becomes more suitable. In highlands animals, generally speaking, pair later than in lower regions, and in the polar and temperate zones later than in the tropics ; species living in different latitudes have their pairing season earlier or later according to the differences

¹ Thus the bat pairs in January and February (Brehm, *Thierleben*, i. 299) ; the *Canis Azaræ* (Rengger, *Naturgeschichte der Säugethiere von Paraguay*, p. 147) and the Indian bison (Forsyth, *Highlands of Central India*, p. 108), in winter ; the wild-cat and the fox, in February (Brehm, *op. cit.* i. 453, 662) ; the weasel, in March (*ibid.* ii. 84) ; the kulan, from May to July (*ibid.* iii. 19) ; the musk-ox, at the end of August (*ibid.* iii. 377) ; the elk in the Baltic Provinces, at the end of August, and in Asiatic Russia, in September or October (*ibid.* iii. 111) ; the wild yak in Tibet, in September (Prejevalsky, *Mongolia*, ii. 192) ; the reindeer in Norway, at the end of September (Brehm, *op. cit.* iii. 123) ; the badger, in October (*ibid.* ii. 149) ; the *Capra pyrenaica*, in November (*ibid.* iii. 311) ; the chamois, musk-deer (*ibid.* iii. 274, 95) and *Antelope Hodgsoni* (Prejevalsky, *op. cit.* ii. 205), in November and December ; the wild camel of Central Asia, in December, January, and February (Hedin, *Central Asia and Tibet*, i. 357 ; Prejevalsky, *From Kulja to Lob-nor*, p. 91) ; the wolf, from the end of December to the middle of February (Brehm, *op. cit.* i. 534).

in climate.¹ The dormouse (*Muscardinus avellanarius*), which feeds upon hazel-nuts, pairs in July and brings forth its young in August, when nuts begin to ripen; then the young grow very quickly, so that they are able to bear the autumn and winter cold.² While the Adélie penguin chooses the warmest and lightest months of the year for the rearing of its young, the Emperor penguin—by far the largest of all penguins—performs this duty in the darkest, coldest, and most tempestuous time. "The only reason," says Dr. Murray Levick, "that has been suggested for this custom is that many months must pass before the chicks are fully fledged. Were they hatched in December (midsummer), as are Adélies, autumn would find them still unfledged, and probably they would perish in consequence, whereas being hatched in the early spring, they are fostered by their parents until the warmer weather begins, and then have the entire summer in which to accomplish their change of plumage."³ This shows not only that the sexual season is controlled by the needs of the next generation, but also how very different the conditions may be under which the reproductive functions are called into play even in related species.

Although most of the higher animals breed only once or twice a year, there are certain species—as some whales,⁴ the elephant,⁵ many rodents,⁶ and several of the lower monkeys⁷—that are said to have no definite pairing season. As to them, it is perhaps sufficient to quote Brehm's statement with regard to elephants, that "the richness of their woods is so great that they really never suffer want."⁸ But although some monkeys in tropical countries possibly

¹ Brehm, *op. cit.* i. 370, 424, 431; ii. 6, 325, 420; iii. 111, 158, 159, 275, 302, 578, 599. Prejevalsky, *Mongolia*, ii. 193, 206.

² Brehm, *op. cit.* ii. 313. ³ Levick, *Antarctic Penguins*, p. 134 sq.

⁴ Brehm, *op. cit.* iii. 699, 723.

⁵ *Ibid.* iii. 482.

⁶ *Ibid.* ii. 440.

⁷ *Ibid.* i. 119, 147, 182, 228. Schomburgk, *Reisen in Britisch-Guiana*, ii. 767.

⁸ Brehm, *op. cit.* iii. 480. The birds on the Galapagos Islands, which are situated almost on the equator, likewise seem to have no definite sexual season (Markham, 'Visit to the Galapagos Islands,' in *Proceed. Roy. Geograph. Soc.* N.S. ii. 753).

are in a condition to become pregnant at all times of the year, others are certainly not so ;¹ and to these belong the man-like apes. Dr. Mohnike and other writers mention the occurrence of a sexual season with the orang-utan,² although they do not inform us when it takes place. Mr. Wallace, however, told me that he " found the young sucking orang-utan in May ; that was about the second or third month of the dry season, in which fruits began to be plentiful." According to Winwood Reade, the male gorillas fight at the rutting season for their females.³ Sir Richard Burton says, " The gorilla breeds about December, a cool and dry month : according to my bushmen, the period of gestation is between five and six months."⁴

Considering, then, that the sexual season largely depends on the kind of food on which the species lives, together with other circumstances connected with anatomical and physiological peculiarities, and considering further the close biological resemblance between man and the man-like apes, we have reason to believe that the pairing of our earliest human or half-human ancestors also was restricted to a certain season of the year. This belief derives additional probability from the fact that there are even now some rude peoples who are actually stated to have an annual pairing time, and other peoples whose sexual desire most decidedly seems to undergo a periodical increase at a certain time of the year.

According to Mr. Johnston, the wild Indians of California, belonging to the lowest races on earth, " have their rutting seasons as regularly as have the deer, the elk, the antelope, or any other animals."⁵ With reference to some of these

¹ Heape, *loc. cit.* p. 32. *Idem*, ' Menstruation of *Semnopithecus entellus*,' in *Philosophical Transactions*, ser. B. vol. clxxxv. pt. i. 412 sqq. *Idem*, ' Menstruation and Ovulation of *Macacus Rhesus*,' *ibid.* ser. B. vol. clxxxviii. 137 sq. Marshall, *Physiology of Reproduction*, p. 63.

² Mohnike, ' Die Affen auf den indischen Inseln,' in *Das Ausland*, xlv. 850. Hartmann, *Die menschenähnlichen Affen*, p. 230. Huxley, *Man's Place in Nature*, p. 33. ³ Reade, *Savage Africa*, p. 214.

⁴ Burton, *Trips to Gorilla Land*, i. 248.

⁵ Schoolcraft, *Archives of Aboriginal Knowledge*, iv. 224.

Indians, Mr. Powers says that spring "is a literal Saint Valentine's Day with them, as with the natural beasts and birds of the forest."¹ Of the Californian Hupa we are told that their marriages took place at the beginning of the summer season and were preceded by a courtship which extended through a summer and a winter.²

Dr. Cook records that the Eskimo inhabiting the country lying between the seventy-sixth and seventy-ninth parallels exhibit a distinct sexual season, which recurs with great intensity at the first appearance of the sun, that little else is thought of for some time afterwards, and that the majority of the children are in consequence born nine months later.³ This account is in agreement with statements made by Bosquet regarding other Eskimo.⁴ Among the reindeer-breeders of the Northern Yenisei valley the midwinter—the only time when they live for any length of time in one spot, since hunting and fishing are then impossible—is "the season of courtship and matchmaking. With the reappearance of the sun comes the wedding."⁵

Friedrich Müller says that among the Australian aborigines marriage and conception mostly take place during the warm season, when there is the greatest abundance of food, and that the latter is even to some extent confined to this period.⁶ This statement is, partly at least, based on the following remark made by Oldfield in his description of the West Australian Watchandies:—"Like the beasts of the field, the savage has but one time for copulation in the year. About the middle of spring . . . the Watch-an-dies begin

¹ Powers, *Tribes of California*, p. 206.

² Goddard, *Life and Culture of the Hupa*, p. 55.

³ Cook, 'Medical Observations among Esquimaux,' in *New York Journal of Gynecology and Obstetrics*, vol. iv., quoted by Heape, in *Quarterly Jour. Microscop. Science*, N.S. vol. xlv. pt. i. 37, and Ellis, *Studies in the Psychology of Sex*, vol. i. Evolution of Modesty, &c., p. 126.

⁴ Bosquet, 'Note on a Case of Absence of the Uterus,' in *Obstetrical Transactions*, vol. xxvii., quoted by Heape, *loc. cit.* p. 37.

⁵ Miss Czaplicka, *My Siberian Year*, p. 102 sq. See also *Idem*, *Aboriginal Siberia*, p. 117.

⁶ Müller, *Allgemeine Ethnographie*, p. 212 sq.

to think of holding their grand semi-religious festival of Caa-ro, preparatory to the performance of the important duty of procreation."¹ If this were literally correct the females would bring forth their offspring at a certain season only, but Curr emphatically denies that this is the case among the Australian aborigines ;² and Sir W. B. Spencer informs me that Oldfield's statement holds true of none of the tribes known to him. On the other hand, there is Mr. Caldwell's communication to Mr. Heape, according to which those Queensland natives with whom he has been brought in contact have a distinct sexual season in September—that is, spring—and in consequence cannot be prevailed upon to do any work for some weeks at that time of the year.³

Concerning the Papuans inhabiting the Maclay Coast of New Guinea, the Russian traveller Miklucho-Maclay writes :—“ In the months of July and August I noticed in the Papua villages many women in a late stage of pregnancy and most of the births took place in September. It seems therefore that the procreation is mostly performed in a certain season of the year, and it is also during this time—December and January—that the Papuas living here are least occupied with field-work and celebrate most of their nocturnal feasts, which last for several nights in succession.”⁴ Among the tribes inhabiting the mouth of the Wanigela River it is during the celebration of their most important feast, the annual *kapa*, that marriages usually take place ;⁵ and of some other New Guinea savages, the natives of Mailu, we are likewise told, by Dr. Malinowski, that their big annual feast is connected with marriage and sexual life. “ The dancing, which takes place with increased intensity during the few

¹ Oldfield, ‘ Aborigines of Australia,’ in *Trans. Ethn. Soc.* N.S. iii. 230.

² Curr, *The Australian Race*, i. 310 sq.

³ Heape, in *Quarterly Jour. Microscop. Science*, N.S. vol. xlv. pt. i. 37.

⁴ Miklucho-Maclay, ‘ Anthropologische Bemerkungen über die Papuas der Maclay-Küste,’ in *Natuurkundig Tijdschrift voor Nederlandsch Indie*, xxxiii. 245.

⁵ Guise, ‘ Tribes inhabiting the Mouth of the Wanigela River,’ in *Jour. Anthr. Inst.* xxviii. 214.

days of the feast, seems to be associated with opportunities for short-lived intrigues, and occasionally there even seem to be features of licentiousness, groups absconding together."¹ Mr. J. H. Hadfield wrote to me from Lifu, near New Caledonia, that marriages there formerly took place at various times, when suitable, but that "November used to be the time at which engagements were made." As the seasons in this island are the reverse of those in England, November falls at the end of spring and the beginning of summer.

Among the Gaddanes of Luzon "it is the custom of the young men about to marry, to vie with each other in presenting to the sires of their future bride all the scalps they are able to take from their enemies, as proof of their manliness and courage. This practice prevails at the season of the year, when the tree—popularly called by the Spaniards 'the fire-tree'—is in bloom."² Of the savages of Northern Formosa it is said in a Chinese work that "when vegetation bursts forth women array themselves in their best clothing, and pay visits to their friends in the neighbouring tribes."³ In the translation of a Chinese chronicle Bowra tells us that the Li of Hainan celebrate a spring festival at which the men and women of neighbouring settlements leap about hand in hand and sing. This is the best occasion for match-making, as the parents have no power to oppose the choice made by their children and no regard is paid to family names. According to the same authority, it is the custom among the wild, or Shêng-, Li that the boys and girls of sixteen or seventeen play and sing together on beautiful spring evenings without being in any way interfered with by their parents; and there are similar customs among various tribes of the continent.⁴ In his essay on the Peninsula of Lei-chou, which forms the southern point of the Chinese

¹ Malinowski, 'Natives of Mailu,' in *Trans. Roy. Soc. South Australia*, xxxix. 562, 664.

² Foreman, *Philippine Islands*, p. 212. Worcester, *Philippine Islands*, p. 439.

³ Taintor, *Aborigines of Northern Formosa*, p. 33.

⁴ Strzoda, 'Die Li auf Hainan,' in *Zeitschr. f. Ethnol.* xliii. 202 s7

mainland, Hirth writes about the people of Sui-ch'i hsien that "every year when the time for the feast of lanterns (Yüan-hsiao, in February or March) has come, men and women would come together from far and near to pull the rattan, as they call it, *i.e.*, to meet and have a look at each other, and at that time the cities and markets are crowded with people."¹ I am told by Mr. Y. H. Yao that in a famous Chinese poem it is said of a young wife that on a spring day she went on the balcony of her house and, when she saw the sprouting willow, regretted that she had advised her husband to go away to try his fortune.

In Cambodia M. Mondière has found that twice a year, in April and September, men seem to experience a "veritable rut," and will sometimes even kill women who resist them.² Concerning the Hami (Semang) of Hulu Jalor, in the Malay Peninsula, Messrs. Annandale and Robinson write:—"When questioned about the number of children usually born to a Hami woman, she volunteered the information that the children of her tribe were always born at the same season of the year, the season, according to some Malays who were present, which corresponds with the first month of the Arabic calendar, as reckoned in the Peninsula, that is to say about March. This would be just after the conclusion of the stormy season. The statement was confirmed by a Malay woman, who remarked that the Panghans bred like beasts; but Malay evidence is practically worthless regarding these people. We were unable to obtain information concerning the number of children usually born, owing to our Hami informant's inability to count; but she said that a child was born regularly every year to women of the proper age."³ In his book on the tribes in the interior of the Malay Peninsula, Dr. Martin says that this statement stands quite alone, and that the subject therefore requires further investigation.⁴ Mr. Skeat informs us that the Besisi, belonging

¹ Hirth, 'Peninsula of Lei-chou,' in *China Review*, ii. 351.

² Mondière, 'Cambodgiens,' in *Diction. des sciences anthropol.*, quoted by Ellis, *op. cit.* i. 126.

³ Annandale and Robinson, *Fasciculi Malayenses*, i. 6.

⁴ Martin, *Die Inlandstämme der Malayischen Halbinsel*, p. 897.

to the Jakun, "commonly have a regular carnival (at the end of the *padi* or rice harvest) when (as they say) they are 'allowed to exchange' their wives, a practice which recalls the wedding law of ancient Peru, by which there was established one universal wedding-day annually throughout the land."¹ And Dr. Martin himself states that the Besisi contract their marriages when the rice harvest has come to an end.² But, for reasons which will be given below, neither of these statements seems to be of much importance in the present connection.

In Assam the Bihu festival, which takes place every year in April and lasts for seven days, is celebrated with music, dancing, and rejoicing, and the people abandon themselves freely both to drunkenness and other forms of licentiousness. The season of this spring festival "has always been claimed by the female sex as a period of considerable licence; and the exercise of their freedom within that period does not seem to be attended with any stain, blemish, or loss of reputation." An unfortunate youth who has failed to secure the consent of the parents of the girl he has selected to be his wife has then recourse to a stratagem to effect his object. "He lays wait in the road till the damsel passes by to the fair or festival with her female relatives, when, with the aid of his companions, he carries off the feigning reluctant bride, and immediately marries her privately", and in a few days the parents are obliged to be reconciled and consent to a public marriage.³ The Khasis, in the hills between Assam and Eastern Bengal, have grand dances in the month of March, at the new moon, and at these dances many matches are made. It is customary for unmarried girls only to dance; they form a ring, and "the young bachelors run round the outside of the ring, moving fans made of feather."⁴ The Bhuiyas, an Orissa hill tribe, have in February a festival called Magh Porai, at which they give way to frightful

¹ Skeat and Blagden, *Pagan Races of the Malay Peninsula*, ii. 70. Cf. *ibid.* ii. 76, 145. ² Martin, *op. cit.* p. 867 sq.

³ Butler, *Travels and Adventures in the Province of Assam*, p. 226 sq. Endle, *Kacháris*, pp. 34, 50, 89.

⁴ Steel, 'Kasia Tribe,' in *Trans. Ethn. Soc. N.S.* vii. 309

debauchery and intoxication ; it continues for three days, " during which all respect for blood relations and husbands is set at naught, and even sisters and brothers make indecent jokes regarding each other."¹ The Hos in Chota Nagpur, according to Colonel Dalton, have every year a great feast in January, " when the granaries are full of grain, and the people, to use their own expression, full of devilry. They have a strange notion that at this period, men and women are so over-charged with vicious propensities, that it is absolutely necessary for the safety of the person to let off steam by allowing for a time full vent to the passions. The festival, therefore, becomes a saturnalia, during which servants forget their duty to their masters, children their reverence for parents, men their respect for women, and women all notions of modesty, delicacy, and gentleness." Men and women become almost like animals in the indulgence of their amorous propensities, and the utmost liberty is given to the girls.² The same writer adds that " it would appear that most Hill Tribes have found it necessary to promote marriage by stimulating intercourse between the sexes at particular seasons of the year."³ The Punjas of Jeypore have a festival in the first month of the new year, where men and women assemble ; and the lower orders or castes observe this festival, which is kept up for a month, by both sexes mixing promiscuously and taking partners as their choice directs.⁴ A similar feast, comprising a continuous course of debauchery and licentiousness, is held once a year by the Kotas of the Nilgiris.⁵

Very widely celebrated is the feast which is called Holi, Phāg, or Phaguā in Northern India, Shimgā or Hutāshana in the Deccan and Western India, and Kaman-pandikai

¹ Macmillan, ' Bhuiyas,' in *Calcutta Review*, ciii. 188.

² Dalton, *Descriptive Ethnology of Bengal*, p. 196 sq. See also de Gryse, ' Les premiers habitants du Bengale,' in *Les Missions Catholiques*, 1897, p. 393. ³ Dalton, *op. cit.* p. 300.

⁴ Shortt, *Hill Ranges of Southern India*, iii. 11 sq. *Idem*, ' Contribution to the Ethnology of Jeypore,' in *Trans. Ethn. Soc. N.S.* vi. 269.

⁵ *Idem*, ' Account of the Hill Tribes of the Neilgherries,' in *Trans Ethn. Soc. N.S.* vii. 282.

in the south. It is observed in the month of Phālguna (February-March) and lasts for at least three days, but in some places even for fifteen days or more, of which the last three are the most important. It has been styled the festival of the god of lust. "Most of the observers of this feast," says Natesa Sastri, "imagine that the object they worship is Cupid and that the mock-funs they observe are on account of Kama, the God of Love."¹ M. Rousselet gives the following description of it as celebrated among the Hindus of Oudeypur. "The festival of Holi marks the arrival of spring, and is held in honour of the goddess Holica, or Vasanti, who personifies that season in the Hindu Pantheon. The carnival lasts several days, during which time the most licentious debauchery and disorder reign throughout every class of society. It is the regular saturnalia of India. Persons of the greatest respectability, without regard to rank or age, are not ashamed to take part in the orgies which mark this season of the year. . . . Effigies of the most revolting indecency are set up at the gates of the town and in the principal thoroughfares. Women and children crowd round the hideous idols of the feast of Holica, and deck them with flowers; and immorality reigns supreme in the streets of the capital."² Among the Rajputs of Mewar, according to Tod, the last days of spring are dedicated to Camdéva, the god of love: "the scorching winds of the hot season are already beginning to blow, when Flora droops her head, and the 'god of love turns anchorite.'"³ Among the Aryans who inhabited the plains of the North the spring, or *vasanta*, corresponding to the months of March and April, was the season of love and pleasure, celebrated in song by the poets, and the time for marriages and religious feasts.⁴ Strabo states that the marriages of the

¹ Crooke, 'Holi: a Vernal Festival of the Hindus,' in *Folk-Lore*, xxv. 55 sqq. Natesa Sastri, *Hindu Feasts, Fasts, and Ceremonies*, p. 44 sqq. Padfield, *The Hindu at Home*, p. 152.

² Rousselet, *India and its Native Princes*, p. 173.

³ Tod, *Annals and Antiquities of Rajast'han*, i. 495.

⁴ Reclus, *Nouvelle géographie universelle*, viii. 70. Cf. Crooke, in *Folk-Lore*, xxv. 56.

ancient Persians were contracted about the vernal equinox.¹ He also tells us that the Amazons for ten months of the year lived in seclusion from all male company, but once every spring ascended a certain mountain to meet the men of a neighbouring people and then during two months had sexual intercourse with them for the sake of propagation.² The later Romans connected April with Venus.³ In an Arabic almanack which has circulation in Northern Africa it is said that April and May are most excellent months for conjugal intercourse, whereas moderation should be observed in August.⁴

A mediæval author, the unknown biographer of St. Adalbert, and the monk of the Russian Abbey of Elcasar, known by the name of Pamphil, who lived in the sixteenth century, speak of the existence of certain yearly festivals among some Slavonic peoples at which great licence prevailed. According to the latter author, such meetings were regularly held on the borders of the State of Novgorod on the banks of rivers, resembling in that particular the annual festivals mentioned in the Chronicle of Nestor at which every man carried off a woman with her own consent.⁵ The gatherings took place, as a rule, at the end of June, the day before the festival of St. John the Baptist, which in pagan times was that of a divinity known by the name of Jarilo, corresponding to the Priapus of the Greeks.⁶ M. Volkov observes that not long ago these customs still survived in the government of Tver, "où le jour de Yarilo (divinité phallique du printemps) les jeunes filles du peuple étaient envoyées par leurs parents prendre part à des jeux analogues à ceux des anciens Slaves, dans le but de se fiancer."⁷ In

¹ Strabo, *Geographica*, xv. 3. 17.

² *Ibid.* xi. 5. 1.

³ Fowler, *Roman Festivals of the Period of the Republic*, p. 67. Westropp and Wake, *Ancient Symbol Worship*, p. 26.

⁴ I am indebted to my friend Mr. Henry Bishop for this statement.

⁵ Nestor, *Chronique*, p. 10.

⁶ Kovalewsky, 'Marriage among the Early Slavs,' in *Folk-Lore*, i. 466 sq. *Idem*, *Modern Customs and Ancient Laws of Russia*, p. 10 sq.

⁷ Volkov, 'Rites et usages nuptiaux en Ukraine,' in *L'Anthropologie*, ii. 166 sq.

this connection reference may also be made to M. Bagin's statement that the Votyak of Kasan still retain the very ancient custom of marrying their young at a definite period of the year, which is before the hay harvest, about the end of June.¹

As Mannhardt pointed out, there have been, and are even now, spring and midsummer festivals in various European countries, which are celebrated with bonfires, music, and dancing, and associated with love- and match-making.² Yet it seems very doubtful whether these festivals can be regarded as evidence of an increase of the sexual desire in spring or at the beginning of summer, as Kulischer and some later writers have maintained,³ considering that similar festivals are held at other times of the year as well. Thus, for example, we hear that in ancient Russia the yearly festivals on Christmas day and on the day of the baptism of Christ were likewise characterised by promiscuous intercourse of the sexes.⁴ In another place I have stated facts which tend to show that the original object of European, as well as North African, midsummer ceremonies has mainly been to serve as a protection against evil forces supposed to be active at the summer solstice,⁵ and I venture to believe that something similar may be said of other festivals held at astronomical crises, such as the winter solstice and the vernal equinox. The leading ceremonies on these occasions are not generally of a sexual character; and that love-making is associated with holiday gatherings of young people of both sexes can easily be explained without the help of the theory

¹ Solotaroff, 'On the Origin of the Family,' in *American Anthropologist*, xi. 230.

² Mannhardt, *Wald- und Feldkulte*, vol. i. ch. v. § 8 *sqq.*, especially pp. 449, 450, 469, 480 *sq.*

³ Kulischer, 'Die geschlechtliche Zuchtwahl bei den Menschen in der Urzeit,' in *Zeitschr. f. Ethnol.* viii. 152 *sqq.* Pearson, *Chances of Death*, ii. 104 *sq.* Ellis, *op. cit.* i. 130 *sqq.* I myself expressed the same opinion in the earlier editions of this work.

⁴ Kovalewsky, in *Folk-Lore*, i. 467. *Idem*, *Modern Customs and Ancient Laws*, p. 11.

⁵ Westermarck, *Ceremonies and Beliefs connected with Agriculture, &c in Morocco*, p. 79 *sqq.*

of an ancient sexual season. More importance may be attached to the connection of the Russian festival with the phallic divinity Jarilo.

Feasts comprising sexual licentiousness are reported from various parts of America¹ and Africa. Among the Bororó Indians, Mr. Frič was told that at a certain time of the year a feast takes place in the *bahito*, or men's house, at which the young men steal girls who have no parents and keep them in the *bahito*.² Sir H. H. Johnston mentions the occurrence of orgies of a sexual character in British Central Africa "at certain seasons,"³ Mr. A. J. Swann among some tribes near Lake Nyasa,⁴ Dr. Fritsch among the Hottentots,⁵ the Rev. H. Rowley among the Kafirs in connection with the harvest.⁶ The Rev. H. T. Cousins wrote to me that among the Kafirs inhabiting what is known as Cis-Natalian Kafirland there are more children born in August and September, which are the spring months in South Africa, than in any other season; and he ascribes this surplus of births to feasts with debauchery and unrestricted intercourse between the unmarried people of both sexes. Dr. A. Sims, again, informed me from Stanley Pool that among the Bateke more children are born in September and October, that is, the season of the early rains, than at other times; and the Rev. Ch. E. Ingham, writing from Banza Manteka, stated that he believed the same to be the case among the Bakongo. These statements, like some others quoted before, were answers to questions which I had addressed to persons living among various savage peoples. Another answer came from Mr. T. Bridges, who informed me that among the Yahgans in the southern part of Tierra del Fuego, so far as he knew,

¹ Latham, 'Ethnology of the Araucanos,' in *Jour. Roy. Anthr. Inst.* xxxix. 354. Bancroft, *Native Races of the Pacific States of North America*, i. 551 sq. (Keres of New Mexico). Hartland, *Primitive Paternity*, ii. 240 sq.

² Frič and Radin, 'Contribution to the Study of the Bororo Indians,' in *Jour. Anthr. Inst.* xxxvi. 390.

³ Johnston, *British Central Africa*, p. 408 n.1.

⁴ Mr. Swann, in a letter to the author.

⁵ Fritsch, *Die Eingeborenen Süd-Afrika's*, p. 328.

⁶ Rowley, *Africa Unveiled*, p. 165.

one month is the same as another with regard to the number of births.

The statements which I have now quoted as evidence in favour of a human pairing season are certainly of very unequal value, and some of them might perhaps as well have been omitted altogether. I have already referred to the doubtful testimony of certain feasts at which sexual licence prevails ; and it should be added that even when such licence seems to be the chief feature of a feast it is not necessarily an indication of an increase of the sexual desire in the season when the feast is held. It may be a magical rite intended to promote the growth of the crops, especially when found at agricultural festivals, which are in many cases associated with a more or less promiscuous intercourse of the sexes.¹ Of the Bési carnival mentioned above Mr. Skeat remarks that it is evidently supposed to have some sort of productive influence not only upon the crops, but upon all other contributing sources of food-supply.² And Mr. Crooke thinks there is some reason to believe that the intention to promote the fertility of man, animals, and crops supplies the basis of the Holi rites.³

Another custom which calls for the greatest caution is that of contracting or celebrating marriages at some special time of the year. This custom may be due to purely practical motives.⁴ The Choroti of the Gran Chaco in South America usually contract their marriages during the algaroba-season, "when there is a good supply of food, and drinking-bouts and other festivals are held almost continually."⁵ Among the Kubu of Upper Djambi in Sumatra marriages are concluded at a time of the year when there is an abundance of wild fruits of a certain kind which can be preserved for a long time, so that the young couple shall have enough to eat.⁶ Among the Benua of Malacca "marriages are

¹ See Frazer, *Magic Art*, ii. 97 *sqq.* ; Hartland, *Primitive Paternity*, ii. 240.

² Skeat and Blagden, *op. cit.* ii. 121.

³ Crooke, in *Folk-Lore*, xxv. 83.

⁴ Cf. van Gennep, *Les rites de passage*, p. 199.

⁵ Karsten, *Indian Dances in the Gran Chaco (S. America)*, p. 30.

⁶ Hagen, *Die Orang Kubu auf Sumatra*, p. 131.

ordinarily celebrated about the months of July and August, when fruits are plentiful."¹ In Morocco they are commonly celebrated in the autumn, when the harvest has come to an end and the granaries are full of corn; I was told that the Ait Waráin, south of Fez, never hold a wedding at any other time of the year.² For a similar reason, the peasantry of many European peoples celebrate their marriages by preference in the autumn or at the beginning of the winter.³ The weddings of the Wadshagga in East Africa are held at the time for the brewing of beer, which again depends on the millet-harvest.⁴ Among the West African Yoruba marriages took place in the olden days at the beginning of the rains, "but as there was very little food in the house at that season the time was changed to the time of the harvest of the new yams, which was a time of great rejoicing (Orisha Oko), and the second planting season."⁵ Some other West Africans preferred the dry season or the latter part of the rainy for their weddings, because there was then an abundance of fish and the weather was better suited for outdoor sports and plays.⁶ The leisure enjoyed by the people may also influence their choice of the time when they hold their weddings. This, for example, is the case with the Hopi Indians of Arizona, who generally marry in autumn or winter.⁷ In Dardistan marriages as a rule take place in January and February, because "there is then no agricultural work to occupy the men, and the houses are well stored with meat. So firmly is the custom established in Nager, that a heavy fine is inflicted on marriages held at any other season."⁸ The Kukis usually marry in the same months

¹ Favre, 'Account of the Wild Tribes inhabiting the Malayan Peninsula,' in *Jour. Indian Archipelago*, ii. 263.

² Westermarck, *Marriage Ceremonies in Morocco*, p. 86.

³ v. Schroeder, *Die Hochzeitsgebräuche der Esten*, &c., p. 48 sq. Weinhold, *Die deutschen Frauen in dem Mittelalter*, i. 363 sq. Meyer, *Deutsche Volkskunde*, p. 174.

⁴ Volkens, *Der Kilimandscharo*, p. 251.

⁵ Dennett, *Nigerian Studies*, p. 165 sq.

⁶ Nassau, *Fetichism in West Africa*, p. 9.

⁷ Voth, 'Oraibi Marriage Customs,' in *American Anthropologist*, N.S. ii. 240. ⁸ Biddulph, *Tribes of the Hindoo Koosh*, p. 78.

"because they have provisions in the greatest plenty, and it is their most idle time."¹ The Coorg weddings generally "come off during the months of April and May, when the rice-valleys are dry, and there is little work to be done."² Superstition, too, may play a part in the matter.³ Among the Brahmans of India, for instance, there are properly but four months in the year in which marriage can be celebrated, namely, March, April, May, and June, which are considered a fortunate time for marrying. But Dubois thinks that the principal motive which originally induced them to fix on these months was that the country labours were then all closed or suspended on account of excessive heat, and the preceding harvest furnished the means of supplying what the ceremony required.⁴ In China the spring season and the last month in the year are regarded as the most fortunate nuptial periods.⁵ It is not impossible, however, that superstitions of this kind have their root in sexual periodicity.

It may also be said that some of the statements are too indefinite to be quite convincing, and that a few others bear the stamp of exaggeration. Yet allowing for all such deficiencies in the material, I think there is sufficient evidence left to show that an annual increase of the sexual desire or of the reproductive power, generally in spring, is of frequent occurrence in mankind. This conclusion derives much support from definite statistical data relating to the distribution of births over the different months of the year.

In the eighteenth century Wargentin observed that in Sweden more children were born in one month than in another.⁶ The same has since been found to be the case in

¹ Macrae, 'Account of the Kookies, in *Asiatick Researches*, vii. 194.

² Richter, *Manual of Coorg*, p. 134.

³ See *infra*, on Marriage Rites.

⁴ Dubois, *Description of the Character, &c. of the People of India*, p. 103 sq. See also Padfield, *op. cit.* p. 101 sq.

⁵ Wells Williams, *The Middle Kingdom*, i. 791.

⁶ Wargentin, 'Uti hvilka Månader flera Människor årligen födas och dö i Sverige,' in *Kongl. Vetenskaps-akademiens Handlingar*, xxviii. 249 sqq.

other European countries as well. According to Wappäus, the number of births in Sardinia, Belgium, Holland, and Sweden is subject to a regular increase twice a year, the maximum of the first increase occurring in February or March and that of the second in September and October.¹ Sormani observed that in the south of Italy there is an increase only once a year, but more to the north twice, namely, in spring and in autumn.² Mayr³ and Beukemann⁴ found in Germany two annual maxima—in February or March and in September; and Haycraft states that in the eight largest towns of Scotland more children are born in legitimate wedlock in April than in any other month.⁵ As a rule, according to Sormani, the first annual increase of births has its maximum in Sweden in March; in France and Holland, between February and March; in Belgium, Spain, Austria, and Italy, in February; in Greece, in January. Thus it comes earlier in Southern Europe than farther north.⁶ Again, the second annual increase is found more considerable the more to the north we go. In South Germany it is smaller than the first one, but in North Germany generally larger;⁷ and in Sweden it is decidedly larger.⁸

As to non-European countries Wappäus observed that in Massachusetts the birth-rate likewise underwent an increase twice a year, the maxima falling in March and September; and that in Chili many more children were born in September and October—that is, the beginning of spring—than in any other month.⁹ In Cuba, according to

¹ Wappäus, *Allgemeine Bevölkerungsstatistik*, i. 237.

² Sormani, *La fecondità e la mortalità umana in rapporto alle stagioni ed al clima d'Italia*, quoted by Mayr, *Die Gesetzmässigkeit im Gesellschaftsleben*, p. 242.

³ Mayr, *op. cit.* p. 240.

⁴ Beukemann, *Ein Beitrag zur Untersuchung über die Vertheilung der Geburten nach Monaten*, p. 15 sqq.

⁵ Haycraft, *loc. cit.* p. 119 sq.

⁶ Sormani, quoted by Mayr, *op. cit.* p. 241.

⁷ Beukemann, *op. cit.* p. 26.

⁸ Wargentin, *loc. cit.* p. 252. Wappäus, *op. cit.* i. 237.

⁹ Wappäus, *op. cit.* i. 250. 237.

the records compiled by Dr. Finlay, both whites and coloured people exhibit a specially high birth-rate in July, and another, though less marked, rise in the birth-rate in November and December.¹ Mr. S. A. Hill, of Allahabad, has shown that among the Hindus of that province the birth-rates likewise vary in different months, the minimum falling in June and the maximum in September and October.² According to the records of births registered in the district of Coimbatore during the years 1888-1892, the birth-rate was lowest in February (6.95 per cent.) and highest in October (9.62 per cent.) and July (9.15 per cent.).³ In North Arcot it was likewise, during the same period, lowest in February (5.98 per cent.) and highest in August and July (10.40 and 10.13 per cent. respectively);⁴ whilst in South Canara it was lowest in October and September (6.68 and 6.74 per cent. respectively) and highest in July and June (9.80 and 9.69 per cent. respectively).⁵ Europeans and Eurasians were not included in these records.

The periodical fluctuations in the birth-rate may no doubt be due to various causes. But I think there is every reason to believe that the maximum in February and March (in Chili, September) is, at least to a large extent, due to an increased tendency to procreation in May and June (in Chili, December).⁶ This seems the more likely since it is especially illegitimate births that are then comparatively numerous.⁷ Mr. Heape believes that both the autumn and spring maxima of conceptions in Cuba have a similar origin.⁸

¹ Heape, 'Proportion of the Sexes produced by Whites and Coloured Peoples in Cuba,' in *Philosophical Transactions*, ser. B. vol. cc. 296.

² Hill, 'Life Statistics of an Indian Province,' in *Nature*, xxxviii. 250.

³ Nicholson, *Madras District Manuals: Coimbatore*, ii. 100.

⁴ Cox, *Madras District Manuals: North Arcot*, ii. 100.

⁵ Stuart, *Madras District Manuals: South Canara*, ii. 92.

⁶ The same opinion has been expressed by Wappäus (*op. cit.* i. 239, 247), Ploss (*Das Weib*, i. 414), and many later writers.

⁷ See, e.g., Mayr, *Bevölkerungsstatistik*, p. 171.

⁸ Heape, in *Philosophical Transactions*, ser. B. vol. cc. 296 sqq.

If we thus find in man, even to this day, an increase either of the sexual desire or of the reproductive power in spring or at the beginning of summer, I think we may look upon it as a survival of a pairing season among our early human or pre-human ancestors.¹ We are the more justified in doing so as a sexual season occurs among the man-like apes, and conditions similar to those which led to it in their case may be supposed to have produced the same result in the case of primeval man. We may assume that he in this respect followed the law which governs the pairing of other animals, that his reproductive activity was controlled by the needs of the next generation. It is true that if coition took place in spring or at the beginning of summer, the offspring were born somewhat earlier in the year than is the case in the majority of mammalian species. But we must remember that the infancy of man is unusually long, and that with regard to the time most favourable to the subsistence of children, we have to take into consideration not only the first days or weeks of their existence, but the earlier period of their infancy in general. Besides food and warmth there are other factors that may affect the welfare of the offspring, and it is not easy to find out all of them. We may be unable to say exactly why the badger bears its young at the end of February or the beginning of March,² and the reindeer of the Norwegian mountains as early as April;³ but there can be no doubt that these seasons are adapted to the requirements of the respective species.

The cause of the winter maximum of conceptions, especially considerable among the peoples of Northern Europe, is

¹ That the periodical increase of births is a survival of an ancient sexual season was suggested by Kulischer (*loc. cit.* p. 156 sq.) in 1876, and by Rosenstadt ('Zur Frage nach den Ursachen, welche die Zahl der Conceptionen beim Menschen in gewissen Monaten des Jahres regelmässig steigern,' in *Mittheil. aus dem embryologischen Institute der K. K. Universität in Wien*, ser. ii. pt. iv. 95) in 1890—the year after the present chapter with the same suggestion was originally published (in my academical thesis, *The Origin of Human Marriage*, Helsingfors, 1889).

² Brehm, *op. cit.* ii. 149.

³ *Ibid.* iii. 124.

generally sought in social influences, such as the quiet ensuing on the harvest time, the better food, the amusements of Christmas,¹ or the greater frequency of marriages.² But although I do not deny that it may have a social origin, the explanations given are not free from objections. The people certainly recover before December from the labours of the field. Wargentín remarked long ago that the Christmas amusements take place at the end of that month and far into January, without showing any particular influence upon the number of births in October.³ And as regards the supposed connection between an increased tendency to procreation and abundance of food it is worth noticing that in the northern parts of Europe many more conceptions take place in May and June, when the conditions of life are often rather hard, than in September, October, and November, when the supplies of food are comparatively plentiful; indeed, in Sweden and the north-western provinces of Germany the latter months are characterised by a minimum of conceptions.⁴ Among the Cis-Natalian Kafirs more children are conceived in November and December than in any other month, although, according to Mr. Cousins, food is most abundant among them from March to September; and among the Bateke the maximum of conceptions falls in December and January, although food is, as I am informed by Dr. Sims, most plentiful in the dry season, that is, from May to the end of August. Finally, the opinion that the winter maximum of conceptions is due to the greater frequency of marriages is opposed to the conclusion arrived at by many investigators, that the unequal distribution of marriages over the different months exercises little or no influence upon the distribution of births.⁵

¹ Wappäus, *op. cit.* i. 241. Mayr, *Bevölkerungsstatistik*, p. 171.

² Mayo-Smith, *Science of Statistics*, i. 75.

³ Wargentín, *loc. cit.* p. 254. ⁴ Beukemann, *op. cit.* pp. 18, 28.

⁵ Wappäus, *op. cit.* i. 242. Villermé, quoted by Ploss-Bartels, *Das Weib*, i. 712. Düsing, quoted by Rauber, *Der Überschuss an Knabengeburtten*, p. 40. Bertillon, 'Natalité (démographie),' in *Dictionnaire encyclopédique des sciences médicales*, ser. ii. vol. xi. 479. Rosenstadt, *loc. cit.* p. 94. Mayr, *Bevölkerungsstatistik*, p. 171. Heape, in *Philosophical Transactions*, ser. B. vol. cc. 298.

I am far from venturing to express any definite opinion as to the cause of the winter maximum of conceptions, but I consider it quite possible that this maximum, also, is at least in some measure a result of natural selection, although of a comparatively late date. Considering that the September maximum of births (or December maximum of conceptions) in Europe becomes larger the farther north we go; that the agricultural peoples of Northern Europe have plenty of food in autumn and during the first part of winter, but often suffer some want in spring; and, finally, that the winter cold hardly affects the health of infants, the woods giving sufficient material for fuel—it has occurred to me that children born in September may have a particularly good chance of remaining alive. Dr. Beukemann states in fact that “the children born in autumn possess the greatest vitality and resisting power against the dangers of earliest infancy.”¹ And more than half a century ago Edward Smith found, by taking 3050 cases of English children dying within one year of their birth, that the percentage of those born in the different months varied from less than 7 per cent. in February and 7 per cent. in September to nearly 11 per cent. in June—in other words, that children conceived in May and December showed signs of the highest vitality and those conceived in September of the lowest.² Commenting on this very interesting fact—which was not known to me when I first made my suggestion—Dr. Havelock Ellis writes, “As we have seen, May and December are precisely the periods when conceptions in Europe generally are at a maximum, and September is precisely the period when they are at a minimum, so that, if this coincidence is not accidental, the strongest children are conceived when there is the strongest tendency to procreate, and the feeblest children when the tendency is feeblest.”³ This would perhaps be an adequate explanation either of an increase of the sexual desire or of a greater disposition to impregnation in December; and it may also explain why the spring and early summer maximum of conceptions, instead of dying

¹ Beukemann, *op. cit.* p. 59. ² Smith, *Health and Disease*, p. 172.

³ Ellis, *op. cit.* i. 142 sq.

out as a useless survival, is still preserved in the midst of civilisation. But the cases investigated are too few to allow any definite conclusions.

Perhaps the increase of births among the Hindus of Allahabad in September and October—that is, the end of the hot season and the beginning of winter—has a similar origin. It may be that children born in those months have the best chance of surviving; during the winter the granaries get filled, and some of the conditions of life become more healthy, although September itself is a very unhealthy month.¹ Mr. Hill, on the other hand, attributes the increase of conceptions to the direct influence of healthy conditions with an abundant food supply.² But, as already said, the birth statistics for other countries do not show any such influence.

That man at present is not restricted to any particular season for the procreation is, of course, no objection to the hypothesis that his primitive ancestors were so. When Professor Nicholson says that Darwinism fails to assign any adequate cause for this,³ he forgets that natural selection is only a negative cause, which checks undesirable variations. The more progress man makes in arts and inventions; the more he acquires the power of resisting injurious external influences; the more he rids himself of the necessity of freezing when it is cold and starving when nature is niggard of food; in short, the more independent he becomes of the changes of the seasons—the greater is the probability that children born at one time of the year will survive almost as well as those born at any other. Variations as regards the pairing time, which may always occur occasionally, will do so the more frequently on account of the changed conditions of life, which directly or indirectly cause variability of every kind;⁴ and these variations will be preserved and transmitted to following generations. It is interesting to note that the periodical fluctuation in the number of

¹ Hill, *loc. cit.* p. 250.

² *Ibid.* p. 250.

³ Nicholson, *Sexual Selection in Man*, p. 9.

⁴ Darwin, *Variation of Animals and Plants under Domestication*, ii. 255.

births, though comparatively inconsiderable in every civilised society, is greater in countries predominantly agricultural, such as Chili, than in countries predominantly industrial, as Saxony; ¹ that it is greater in rural districts than in towns; ² and that it was greater in Sweden in the middle of the eighteenth century than it is now.³ The more man has abandoned natural life out of doors, the more luxury has increased and his habits have got refined, the greater is the variability to which his sexual life has become subject, and the smaller has been the influence exerted upon it by the changes of the seasons.

In the sexual life of domesticated animals and wild animals kept in captivity there is also great variety, and the variations are extended not only to varieties of a species, but even to individuals of that species under domestication.⁴ Among dogs,⁵ goats,⁶ asses in southern countries,⁷ and captive cattle and deer,⁸ the males are indeed prepared to propagate at all times, or almost at all times, throughout the year. The domestic cat may have three or four sexual seasons each year, whereas the wild cat has only one—some say two, but this is doubtful.⁹ Among dogs in the wild state the bitch only experiences heat once a year, in the spring; but among domesticated dogs there is not only the spring period of heat, early in the year, but also an autumn period, about six months after, though the primitive period remains the most important one.¹⁰ Dr. Hermann Müller has observed a canary which laid eggs in autumn and winter.¹¹ Natural selection cannot, of course, account for such changes: they fall under the law of variation. It is the limited pairing season that is a product of this

¹ Wappäus, *op. cit.* i. 247.

² *Ibid.* i. 246. Quetelet, *Treatise on Man*, p. 20. Bertillon, *loc. cit.* p. 480.

³ Wappäus, *op. cit.* i. 343.

⁴ Heape, in *Quarterly Jour. Microscop. Science*, N.S. vol. xlv. pt. i. 21 *sqq.*

⁵ *Ibid.* p. 64.

⁶ Brehm, *Thierleben*, iii. 333.

⁷ *Ibid.* iii. 43.

⁸ Heape, *loc. cit.* p. 64.

⁹ *Ibid.* p. 23.

¹⁰ Ellis, *op. cit.* i. 124.

¹¹ Müller *Am Neste*. pp 2, 86, 104

powerful process, which acts with full force only under conditions free from domestication or civilisation.

If the hypothesis set forth in the present chapter holds good, it must be admitted that the continued excitement of the sexual instinct could not have played a part in the origin of human marriage, provided that marriage existed among primitive men—as I believe it did.

CHAPTER III

A CRITICISM OF THE HYPOTHESIS OF PROMISCUITY : ALLEGED INSTANCES OF PEOPLES LIVING IN PROMISCUITY

THE inference that marriage and the family consisting of parents and children existed among primitive man is opposed to the views held by many sociologists who have written upon early history. It is often said that the human race must have originally lived in a state of promiscuity, where individual marriage did not exist, where all the men in a horde or tribe had indiscriminately access to all the women, and where the children born of these unions belonged to the community at large. This opinion has been expressed by Bachofen, McLennan, Morgan, Lord Avebury, Giraud-Teulon, Lippert, Kohler, Post, Wilken, Kropotkin, Wilutzky, Bloch, and many others.¹ It is apparently somewhat less

¹ Bachofen, *Das Mutterrecht*, pp. xix. xx. 10. *Idem*, *Antiquarische Briefe*, p. 20 sq. McLennan, *Studies in Ancient History*, pp. 92, 95. *Idem*, *Studies in Ancient History. Second Series*, pp. 55, 57. Morgan, *Systems of Consanguinity and Affinity*, pp. 480, 487 sq. *Idem*, *Ancient Society*, pp. 418, 500 sqq. Avebury, *Origin of Civilisation*, p. 68 sqq. *Idem*, *Marriage, Totemism and Religion*, p. 3 sqq. Giraud-Teulon, *Les origines du mariage et de la famille*, p. 70. Lippert, *Kulturgeschichte der Menschheit*, ii. 7. Kohler, 'Ein Beitrag zur ethnologischen Jurisprudenz,' in *Zeitschr. vergl. Rechtswiss.* iv. 267. Post, *Die Geschlechtsgenossenschaft der Urzeit*, p. 16 sq. *Idem*, *Die Grundlagen des Rechts*, p. 183 sq. *Idem*, *Studien zur Entwicklungsgeschichte des Familienrechts*, p. 54 sq. Wilken, 'Over de primitieve vormen van het huwelijk en den oorsprong van het gezin,' in *De Indische Gids*, 1880, vol. ii. 611. *Idem*, *Das Matriarchat bei den alten Arabern*, p. 7 sq. Kropotkin, *Mutual Aid*, pp. 86, 313 sqq. Wilutzky, *Vorgeschichte des Rechts*, i. 12 sqq. Bloch, *Sexual Life of Our Time*, p. 188 sqq. Fiske, *Outlines of Cosmic Philosophy*, ii. 345. Kulischer, 'Die geschlecht-

popular now than it was at the time when I first wrote this book, but it has still as staunch supporters as ever. Dr. Bloch, for instance, says that recent ethnological research has proved the untenability of my criticism of the doctrine of promiscuity, that there can be no doubt whatever that in the beginnings of human development a state of sexual promiscuity actually prevailed, and that it even seems incomprehensible how a dispute could ever have arisen in the matter.¹ Some other recent writers are almost equally positive. I consider it therefore by no means superfluous to renew and extend my criticism. And now, as before,² I shall not merely endeavour to show that the supposed survivals of ancient promiscuity really are no such survivals at all, but also indicate how the customs in question may be explained.

The evidence adduced in support of the hypothesis of promiscuity flows from two different sources. First, there are in books of ancient and modern writers notices of peoples who are said to live or to have lived promiscuously. Second, there are certain customs which are assumed to be relics from an earlier stage of civilisation when marriage did not
liche Zuchtwahl bei den Menschen in der Urzeit,' in *Zeitschr. f. Ethnol.* viii. 140 sq. Gumpłowicz, *Grundriss der Sociologie*, p. 107. Engels, *Der Ursprung der Familie, des Privateigentums und des Staats*, p. 17. Bebel, *Woman in the Past, Present, and Future*, p. 9. Reclus, *Primitive Folk*, p. 157. Finck, *Primitive Love and Love-Stories*, pp. 79 n. 1, 438. Parkinson, *Dreissig Jahre in der Südsee*, p. 676 sq. Grandidier, *Ethnographie de Madagascar*, ii. 175. Herbert Spencer (*Principles of Sociology*, i. 635) infers that even in prehistoric times promiscuity was checked by the establishment of individual connections, but thinks that in the earliest stages it was but in a small degree thus qualified. Müller-Lyer writes (*Die Familie*, p. 47) :—" Über die Frage, ob die urzeitlichen Menschen in Promiskuität gelebt haben, oder ob es in den Urhorden schon Sonderfamilien und Sonderehen gegeben habe, lassen sich nur Vermutungen aufstellen. Wahrscheinlich ist die letzere Annahme nicht." Dr. Hartland ('Totemism and Exogamy,' in *Folk-Lore*, xxii. 367) finds the hypothesis of primitive promiscuity "by no means untenable."

¹ Bloch, *op. cit.* pp. 188, 194.

² I do not understand how Schurtz (*Altersklassen und Männerbünde*, pp. 68, 69, 175 sq.) could accuse me of having been merely negative in my criticism.

exist. In the present chapter I shall deal with the former groups of facts.

McLennan observes that "tradition is found everywhere pointing to a time when marriage was unknown, and to some legislator to whom it owed its institution: among the Egyptians to Menes; the Chinese to Fohi; the Greeks to Cecrops; the Hindus to Svetaketu."¹ The Chinese annals recount that in the beginning men differed in nothing from other animals in their way of life. As they wandered up and down in the woods and women were in common, it happened that children never knew their fathers, but only their mothers. But the emperor Fou-hi abolished this indiscriminate intercourse of the sexes and instituted marriage.² In the Indian epic Mahabharata, Pāṇḍu tells his wife Kuntī that the women were in former times not kept within houses and dependent upon husbands and other relatives, but enjoyed themselves as best they could. This practice was not regarded as sinful, but was applauded by great Rishis, and is still in vogue among the Uttarakurus. But it was abolished by Śvētakētu, the son of the sage Uddālaka, when he saw that a strange Brahman in the presence of his own father took his own mother away with him.³ According to Athenian tradition, the women were of old the common property of the men, who coupled with them like beasts, so that while every one knew his mother, nobody knew who his father was. This communism, however, was abolished by Kekrops, the first king of Athens, who established the laws and rules of marriage in its place.⁴ The remote Laplanders, also, sing about Njavvis and Attjis, who instituted marriage and bound their wives by sacred oaths.⁵

¹ McLennan, *Studies in Ancient History*, p. 95.

² Goguet, *Origin of Laws, Arts, and Sciences*, iii. 311, 313.

³ Mahabharata, i. 122. 45qq. Muir, *Original Sanskrit Texts*, ii. 327.

⁴ Clearchus of Soli, quoted by Athenaeus, *Deipnosophistæ*, xiii. 2, p. 555 D. Charax of Pergamus, *Hellenica*, 10 (in *Fragmenta Historicorum Græcorum*, ed. C. Müller, iii. 638). John of Antioch, *Historia*, 13 (*ibid.* iv. 547). Suidas, *Lexicon Græce et Latine*, s.v. 'Κέκροψ,' vol. ii. 198 sq. Justin, *Historiæ Philippicæ*, ii. 6. 7. St. Augustine, *De civitate Dei*, xviii. 9. See also Frazer, *Magic Art*, ii. 284.

⁵ v. Düben, *Lappland och Lapparne* p. 330.

Legends of this sort can no more be regarded as evidence of primitive promiscuity than the second chapter of Genesis can be quoted in proof of primitive monogamy. They may be simply due to the tendency of the popular mind to ascribe almost any great institution to a wise legislator or ruler, if not to direct divine intervention. But at the same time I do not deny that they may be an echo of social conditions in the past. The story in the Mahabharata may allude to the laxity of morals among the non-Aryan people of India and the Himalayas, as the polyandry of the five Pāṇḍavas is probably an allusion to their polyandrous practices.¹ Lassen fixed the abode of the Uttarakurus beyond that great mountain chain.² The Athenian legend, again, has been represented as a survival of mother-right;³ but that matrilineal descent once prevailed in Greece is an hypothesis which has been strongly contested.⁴ Mr. Rose suggests that the legend in question may be "the theory of primitive promiscuity, no less a theory and no more a fact because stated by an anthropologist who lived 2000 years ago." He adds that any one who has read Lucretius or Ovid knows how much in favour this theory was among Greek scientists.⁵

Statements about foreign tribes living in a state of promiscuity abound in Greek and Roman literature. Herodotus⁶ and Strabo⁷ tell us that among the Massagetae, although each man had but one wife, the men used the women promiscuously, and that when a Massagetan desired to have the company of a woman he hung up his quiver in front of her chariot and had intercourse with her without shame.

¹ See *infra*, on Polyandry.

² Lassen, *Indische Alterthumskunde*, i. 612, 802. See also Oppert, *Original Inhabitants of Bharatavarṣa or India*, p. 613.

³ Avebury, *Origin of Civilisation*, pp. 123, 127. Frazer, *Magic Art*, ii. 284. Miss Harrison, *Prolegomena to the Study of Greek Religion*, p. 262. Hartland, *Primitive Paternity*, ii. 134 n. 1.

⁴ Rose, 'On the alleged Evidence for Mother-right in Early Greece,' in *Folk-Lore*, xxii. 279 *sqq.* Wilamowitz-Moellendorf and Niese, *Staat und Gesellschaft der Griechen und Römer*, p. 33.

⁵ Rose, *loc. cit.* p. 289.

⁶ Herodotus, i. 216.

⁷ Strabo, *Geographica*, xi. 8 6.

It should be noticed that in these statements, which have constantly been quoted as evidence in favour of early promiscuity, individual marriage is expressly said to exist, although not only the husband but other men as well had access to his wife. According to a later authority, a Chinese writer of the thirteenth century by name Ma-touan-lin, it was the custom among the Massagetae of Turkestan that brothers had one wife between them and that the children born of these unions belonged to the eldest brother; and if a man had no brothers he associated with other men.¹ This account seems to be correct, considering that polyandry of the same type has prevailed among other Central Asiatics from time immemorial.² Now it is by no means improbable that the statements of Herodotus and Strabo had their origin in facts of this kind, and that the monogamous marriage mentioned by them was the union of the eldest brother or the first male partner, who was the chief or the real husband. And it should also be borne in mind that polyandry is not infrequently combined with polygyny, so that a group of men actually have several wives in common.³

Of the Galactophagi, another Scythian people, Nicolaus Damascenus says that they had their property and women in common, and that they called the old men fathers, the young men sons, and those of equal age brothers.⁴ According to the same writer, the Liburnes in Illyria likewise had community of wives and brought all the children up together till they became five years of age, when each child was attributed to the man to whom it bore the strongest resemblance; and thenceforth that man educated the child as if it were his own.⁵ Herodotus states of the Agathyrsi, who in his time dwelt in the country now called Transylvania and afterwards were driven more to the north,⁶ that they

¹ Rémusat, *Nouveaux mélanges asiatiques*, i. 245.

² See *infra*, on Polyandry.

³ See *infra*, on Group-marriage and other Group-relations.

⁴ Nicolaus Damascenus, *Morum mirabilium collectio, e Stobaei Florilegio*, v. 73.

⁵ *Ibid.* xlv. 41.

⁶ Rawlinson's translation of Herodotus, iii. 91 n. 6.

had wives in common so that they might be all brothers and, as members of one family, might neither envy nor hate one another.¹ Promiscuity is said to have prevailed among the Mosyni, on the coast of Pontus.²

Communism in women and children was ascribed by classical writers to various Ethiopian peoples :—the Ichthyophagi (inhabiting islands in the Red Sea),³ Hyllophagi and Spermatophagi,⁴ Garamantians,⁵ and Troglodytes.⁶ Of the last-mentioned people, however, it was said that chiefs had their own wives, and that anybody who had intercourse with the wife of a chief had to pay a sheep. Concerning the Auseans, inhabiting the borders of Lake Tritônis, Herodotus writes :—" These people do not marry or live in families, but dwell together like the gregarious beasts. When their children are full-grown they are brought before the assembly of the men, which is held every third month, and assigned to those whom they most resemble."⁷ Of the Nasamonians, another Libyan people who dwelt around the shores of the Greater Syrtis, he says :—" Every man, by the custom of the country, has several wives, and they have intercourse with them in common ; and much the same as the Massagetae, they have intercourse when they have set up a staff before them."⁸ It is of interest to notice that Herodotus expressly affirms the existence of individual marriage among these Libyans ;⁹ for what he says about their oath-taking and some other customs is so true of the present inhabitants of Northern Africa that it may be supposed that his statement concerning their sexual

¹ Herodotus, iv. 104.

² Pomponius Mela, *Chorographia*, i. 19. Cf. Xenophon, *Anabasis*, v. 4. 33 ; Diodorus Siculus, *Bibliotheca historica*, xiv. 30. 7.

³ Ex Agatharchide de *Mari Erythraeo*, v. 51, in Müller, *Geographi Graeci minores*, i. 130. Diodorus Siculus, *op. cit.* iii. 15. 2.

⁴ Ex Agatharchide de *Mari Erythraeo*, v. 31, in Müller, *op. cit.* i. 143. Diodorus Siculus, *op. cit.* iii. 24. 4.

⁵ Solinus, *Collectanea rerum memorabilium*, xxx. 2. Pliny, *Historia naturalis*, v. 8. 45.

⁶ Strabo, *op. cit.* xvi. 4. 17. Ex Agatharchide de *Mari Erythraeo*, v. 61, in Müller, *op. cit.* i. 153. Diodorus Siculus, *op. cit.* iii. 32. 1.

⁷ Herodotus, iv. 180. ⁸ *Ibid.* iv. 172. ⁹ See also *ibid.* iv. 296.

communism also had some foundation in fact. What the facts actually were it is of course impossible to say. Perhaps they had promiscuous intercourse on certain occasions. Marmol Caravajal speaks of a very ancient city situated on the road leading from Sefru, in the neighbourhood of Fez, to the province of Numidia, in which, according to African writers, there was a great temple where men and women had promiscuous intercourse during one night at a certain time of the year, after sacrifices had been made and the lights had been extinguished. The women who had been present were not allowed to sleep with their husbands until it was known whether they had become pregnant, and the children resulting from those irregular connections were destined to become servants of the temple. But when the Arabs invaded Mauritania, they destroyed the city with its temple and all its houses.¹ Yet similar practices are reported to exist in Morocco even to this day. In the interior of that country I heard stories about certain tribes or communities where people of both sexes are said to assemble in a mosque once every year in the night. The lights are extinguished, everybody lies down, and the men and women who are lying near each other have sexual intercourse regardless of all ties of marriage and consanguinity; but before the commencement of the orgies the leading man moves a bamboo staff over their heads to find out whether anybody remains standing and consequently, being a stranger, is to be turned out. This was told me not by the people themselves, but by other natives, and must therefore be looked upon with considerable suspicion; but there may be some truth in it after all.²

¹ Marmol Caravajal, *La descripcion general de Affrica*, book iv. ch. 109, vol. ii. fol. 163a.

² See also Salmon, 'Les Bładoua,' in *Archives marocaines*, ii. 362 sq.; Doutté, *Merrdkech*, p. 366 sq.; Mouliéras, *Une Tribu Zénète anti-musulmane au Maroc (les Zkara)*, p. 100 sq. Similar stories are told about the Lycian Tachtadshys by their Turkish neighbours; but whether partially true or not, the stories contain obvious inaccuracies (Petersen and Luschan, *Reisen in Lykien*, p. 199). See also Blau, 'Nachrichten über kurdische Stämme,' in *Zeitschr. Deutsch. Morgenländ. Gesellsch.* xvi. 623 sq.

Considering how uncertain the information is which people give about the sexual relations of their own neighbours, we must be careful not to accept as trustworthy evidence the statements made by classical writers with reference to more or less distant tribes of which they evidently possessed very little knowledge. In the very chapter where Pliny states that among the Garamantians men and women lived in promiscuous intercourse he tells us of another African tribe, the Blemmyans, that they were said to have no head and to have the mouth and eyes in the breast.¹ I have never seen this statement quoted in any book on human anatomy, and can see no reason to assume that our author was so much better acquainted with the sexual habits of the Garamantians than he was with the personal appearance of the Blemmyans. Moreover, the statements referred to above are so short and ambiguous that different constructions may be put upon them. The community of women mentioned in them does not necessarily imply general promiscuity within the horde or tribe but may mean group-relations similar to those which are known to prevail among certain modern savages; and if the existence of marriage is denied, we must remember that the word "marriage" may have many meanings.

Promiscuity has been ascribed by mediæval writers to certain European peoples. Cosmas of Prague, a Latin annalist of the eleventh century, writes of the Bohemians or Czechs:—"Ipsa connubia erant illis communia. Nam more pecudum singulas ad noctes novos ineunt hymeneos, et surgente aurora trium gratiarum copulam et secreta amoris rumpunt vincula."² Professor Kovalewsky says that this statement as to promiscuity is directly confirmed by that of another mediæval author, the unknown biographer of St. Adalbert—who ascribes the animosity of the Bohemian people towards the saint to the fact of his strong

¹ Pliny, *op. cit.* v. 8:—"Garamantes matrimoniorum exortes passim cum feminis degunt. . . . Blemmyis traduntur capita abesse, ore et oculis pectori adfixis."

² Cosmas of Prague, *Chronica Bohemorum*, i. 3 (Migne, *Patrologiæ cursus*, clxvi. 60 sq.).

opposition to the shameful promiscuousness which in his time prevailed in Bohemia—as also by the monk Pamphil, who lived in the sixteenth century; both speak of the existence of certain yearly festivals at which great licence prevailed.¹ But to indulge in sexual excesses once a year is not the same as to live in promiscuity permanently; and as for Cosmas' statement it should be noticed that he himself distinguishes between a mythical age and an historical age, and leaves it to his readers to decide which of his statements refer to the former and which to the latter.² Krek points out that his Chronicle is almost valueless as an historical source and that anybody who looks upon it otherwise shows incapacity of discerning between history and myth.³ But even if we could be induced to believe that an Aryan people a few centuries ago had no marriage, we should certainly have to admit that it had lost something which its ancestors possessed in the past. In the Chronicle ascribed to Nestor, who is supposed to have been a Russian monk of the eleventh century, we read of the Drevlians that they lived like wild beasts, that marriage was unknown to them, and that they carried off young girls on the banks of rivers. Of three other Slavonic tribes, the Radimich, the Viatic, and the Severs, it is said:—"Marriage did not exist among them, but games were held in the outskirts of the villages. They met at these games for dancing and every kind of diabolic amusement, and there every man carried off the woman with whom he had previously come to an agreement. They had even two or three wives."⁴ This description makes it clear that when the Russian monk denied the existence of marriage among some pagan tribes he did not use the term marriage in the sense given to it by the modern sociologist.

Professor Kovalewsky says that an Arabic traveller of

¹ Kovalewsky, 'Marriage among the Early Slavs,' in *Folk-Lore*, i. 466. *Idem*, *Modern Customs and Ancient Laws of Russia*, p. 10. See also Volkov, 'Rites et usages nuptiaux en Ukraine,' in *L'Anthropologie*, ii. 164.

² Cosmas of Prague, *op. cit.* i. 13 (Migne, *op. cit.* clxvi. 79).

³ Krek, *Einleitung in die slavische Literaturgeschichte*, p. 199.

⁴ Nestor, *Chronique*, p. 10.

the tenth century, Abū-el-Qassim, speaks of the hetairism of the married women as a peculiarity of the national life of the Circassians ; and he adds that this statement is confirmed by another Arabic writer, Massūdi.¹ But the former simply wrote that the Circassian women " pass for being voluptuous,"² and the latter that they " are said to be surprisingly beautiful and very voluptuous." ³ The old traveller Tavernier, who is also referred to by Professor Kovalewsky, states that the more gallants a Circassian woman has the more highly is she respected ; but at the same time he speaks of their marriages, describes how they are concluded, and adds that if no child is born within a few years the husband is permitted to take another wife.⁴ Nor do other travellers speak about a state of promiscuity among the Circassians.⁵

Lord Avebury quotes the sexual relations of various modern savages as instances of promiscuity or, as he calls it, " communal marriage."⁶ " The Bushmen of South Africa," he says, " are stated to be entirely without marriage." He does not indicate the source from which he has taken this statement ; all the authorities I have consulted unanimously assert the reverse, and, as we have noticed before, the family is in fact the chief social institution of this people. Sir Edward Belcher tells us that in the Andaman Islands the custom is for the man and woman to remain together until the child is weaned, when they separate and each seeks a new partner.⁷ Lord Avebury, however, also draws attention to Mr. Man's account of the Andaman Islanders, according to which " bigamy, polygamy, polyandry, and divorce are unknown " among them,⁸ but seems to maintain that the

¹ Kovalewsky, ' La famille matriarcale au Caucase,' in *L'Anthropologie*, iv. 266.

² Quoted by Darinsky, ' Die Familie bei den kaukasischen Völkern,' in *Zeitschr. vergl. Rechtswiss.* xiv. 175

³ Massūdi, ' Description du Caucase,' in Klaproth, *Magasin Asiatique*, i. 289.

⁴ Tavernier, *Six Voyages*, i. 339. ⁵ Darinsky, *loc. cit.* p. 177 sqq.

⁶ Avebury, *Origin of Civilisation*, p. 68 sqq.

⁷ Belcher, ' Andaman Islands,' in *Trans. Ethn. Soc.* N.S. v. 45.

⁸ Man, ' Aboriginal Inhabitants of the Andaman Islands,' in *Jour. Anthr. Inst.* xii. 135.

two accounts may refer to different tribes and consequently both be true. Mr. Portman expressly says that Belcher's statement is "quite incorrect";¹ but even if it were otherwise it could not be looked upon as evidence of promiscuity, suggesting as it does monogamous marriages of short duration. Speaking of the Haida of Queen Charlotte Islands, Mr. Poole says that among them "the institution of marriage is altogether unknown," and that the women "cohabit almost promiscuously with their own tribe, though rarely with other tribes."² From the description of Captain Jacobsen's voyage to the north-western coast of North America, however, it appears that marriage exists among those Indians although the husbands often prostitute their wives;³ and Mr. Swanton, who spent ten months among them, gives us various details about their marriages and tells us that these were often arranged as soon as a child was born. Indeed, if a man were unfaithful after marriage, his mother-in-law exacted a large amount of property from him, and if the wife were unfaithful the husband generally took personal revenge.⁴ In the Californian Peninsula, it is said, the sexes met without any formalities, and the vocabulary of the people did not even contain the verb "to marry."⁵ But surely, the want of an equivalent for the verb "to marry" does not imply the want of the fact; and Baegert, the authority for the statement in question, indicates himself that marriage did occur among those Indians when he says that "each man took as many wives as he liked, and if there were several sisters in a family he married them all together."⁶

Lord Avebury observes that in the Pacific Islands, according to Mr. Hyde, there was an "utter absence of what we mean by the family, the household, and the husband; the only thing possible was to keep distinct the line through the

¹ Portman, *History of Our Relations with the Andamanese*, p. 519.

² Poole, *Queen Charlotte Islands*, p. 312.

³ Woldt, *Capitain Jacobsen's Reise an der Nordwestküste Amerikas*, pp. 20, 21, 28 sq.

⁴ Swanton, *Haida*, p. 50 sqq.

⁵ Baegert, 'Aboriginal Inhabitants of the Californian Peninsula,' in *Smithsonian Report*, 1863, p. 368.

⁶ *Ibid.* p. 368.

mother, and enumerate the successive generations with the several putative fathers.”¹ As an evidence of “communal marriage,” this statement is contradicted by all that we know about the marriages of the peoples inhabiting the various islands of the Pacific Ocean. It is true that some of them have been said to have no marriage, but these statements have been proved to be erroneous. According to one narrator, the women of Easter Island had sexual intercourse in a promiscuous manner.² This statement was probably based on the fact that, although most girls were married very early in life, there were some who remained unmarried and acted as a kind of prostitutes, having even as many as five lovers, owing to the great preponderance of men in the island.³ Geiseler says that each family lived by itself.⁴ With reference to the Tahitians, Forster wrote, “We have been told a wanton tale of promiscuous embraces, where every woman is common to every man : but when we enquired for a confirmation of this story from the natives, we were soon convinced that it must, like many others, be considered as a groundless invention of a traveller’s gay fancy.”⁵ Nowhere has debauchery been practised more extensively than among the Areois of Tahiti, who have also been accused of having their women in common.⁶ Yet Ellis assures us that, “although addicted to every kind of licentiousness themselves, each Areoi had his own wife ; . . . and so jealous were they in this respect that improper conduct towards the wife of one of their own number was sometimes punished with death.”⁷ Lord Avebury observes that the original Hawaiian word for “to marry” meant “to try,” and that the missionaries have been attempting to replace this by our word “marry” under a native form ;⁸ but Fornander has objected to this derivation, and Dr. Emerson has

¹ Avebury, *Origin of Civilisation*, p. 69.

² Quoted by Tregear, ‘Easter Island,’ in *Jour. Polynesian Soc.* i. 99.

³ Geiseler, *Die Oster-Insel*, p. 29.

⁴ *Ibid.* p. 41.

⁵ Forster, *Voyage round the World*, ii. 132.

⁶ Turnbull, *Voyage round the World*, p. 364.

⁷ Ellis, *Polynesian Researches*, i. 239.

⁸ Avebury, *op. cit.* p. 69.

pointed out that the word meaning "to try" is *ho-a'o* and not *ho-ao*.¹ Contrary to the view that Hawaiian society was characterised by relations between the sexes which approached a condition of complete promiscuity, Dr. Rivers maintains that the evidence clearly shows "that in Hawaiian society in its ancient condition there existed the institution of individual marriage, though undoubtedly accompanied by much sexual laxity and with the possession of marital rights by others than the husband."² Lisiansky wrote more than a hundred years ago:—"Former voyagers have asserted, that the Marquesan men and women have no individual attachments, but cohabit promiscuously, as inclination may dictate. This, however, is a mistake: the marriage state is held nearly as sacred among them as it is among any uncivilised people. It is true indeed, fathers sometimes offered us their daughters, and husbands their wives; but this proceeded from their ardent desire of possessing iron, or other European articles. . . . This out of the question, jealousy is so prevalent with the men, that upon the smallest suspicion of infidelity, they punish their wives with severity."³ In a quite recent book of travels Mr. Rannie states that he was told by the natives of New Ireland themselves that there is no marriage among them;⁴ but this statement is disproved not only by what we are told by other travellers, but by some facts mentioned in his own description of those islanders.

Lord Avebury quotes certain Australian facts as evidence for his theory. With these I shall deal in the chapter on group-marriage; for what they prove, or are supposed to prove, is not promiscuity or "communal marriage," but sexual relations, or marriage, between a definite group of men and a definite group of women within the community. I presume that no authority on the Australian aborigines would deny the accuracy of Mr. Curr's statement that in none of their tribes men and women have been found living in a state of promiscuous intercourse, the reverse being a

¹ Rivers, *History of Melanesian Society*, i. 383.

² *Ibid.* i. 385 sq. ³ Lisiansky, *Voyage round the World*, p. 82.

⁴ Rannie, *My Adventures among South Sea Cannibals*, p. 265.

matter of notoriety.¹ Indeed, nowhere is marriage subject to stricter rules than among those savages. Lord Avebury also mentions the Nayars, Tottiyars, and Todas of Southern India ; but the statements he refers to only speak of polyandry or group-marriage, and will be considered under these forms of marriage. He also says, quoting Watson and Kaye, that the Teehurs of Oude live together almost indiscriminately in large communities, and that even when two persons are regarded as married the tie is but nominal.² With reference to this alleged instance of promiscuity, Mr. Crooke observes:—"There is no evidence whatever that anything like communal marriage prevails among them. The fact seems to be that by the necessities of their occupation the husbands leave their wives for long periods at a time and go on voyages as far as Calcutta. That a high standard of female morality is maintained during their absence it would be rash to assert : but this is very different from communal marriage."³

Bernhöft mentions two other peoples of India, the Irulas and Kurumbas, as instances of savages who have no marriage.⁴ Of the former, Harkness writes that they "have no marriage contract, the sexes cohabiting almost indiscriminately ; the option of remaining in union, or of separating, resting principally with the female. Some among them," he adds, "the favourites of fortune, who can afford deliberately to expend the sum of four or five rupees on festivities, will celebrate their union, by giving a feast to all their friends and neighbours."⁵ That they are not without marriage also appears from the following statement made by Ward:—"In their marriages perhaps they are singular. This contract does not take place between the parties cohabiting till the second or third child is born, when the man agrees to pay a stipulated sum by instalments as a dowry to the friends of

¹ Curr, *Australian Race*, i. 126.

² Watson and Kaye, *People of India*, ii. no. 85.

³ Crooke, *Tribes and Castes of the North-Western Provinces and Oudh*, i. p. clxxxiii. sq.

⁴ Bernhöft, 'Altindische Familienorganisation,' in *Zeitschr. f. vergl. Rechtswiss.* ix. 14, quoting Ritter, *Erdkunde*, p. 1015 sq.

⁵ Harkness, *Description of a Singular Aboriginal Race inhabiting the Neilgherry Hills*, p. 92.

the woman, who give with her as a portion a buffalo ; the contract now becomes binding."¹ Of the Kurumbas Harkness simply says, " They have no marriage ceremony ; but occasionally, when two have been living together for some time, they will enter into an agreement, in the presence of friends, to remain united for life."² To be without a marriage ceremony is certainly not the same as to be without marriage.

Bastian adds to the list the Keriahs and the Chittagong tribes, and some American Indians—the Guaycurûs, the Arawaks, and the Kutchin.³ Concerning the Keriahs, Colonel Dalton only asserts that they have no word for marriage in their own language, but he does not deny that marriage itself occurs among them ; on the contrary, it appears that they buy their wives.⁴ The Chittagong Hill tribes, as we shall find later on, practise mostly monogamy. Anyone who takes the trouble to read Richardson's,⁵ Kirby's,⁶ or Bancroft's⁷ account of the Kutchin will notice that polygyny, but not promiscuity, is prevalent among them, and that the husbands are very jealous of their wives. The same is stated by v. Martius about the Arawaks, whose blood-feuds are generally due to jealousy and a desire to avenge violations of conjugal rights ;⁸ and the occurrence of marriage among them has also been ascertained by Schomburgk⁹ and Brett.¹⁰ Of the Guaycurûs, Lozano says that the men have not more than one wife, but that nevertheless there are no proper marriages among them, since the husband may part with his wife and the wife with her husband without

¹ Ward, in Grigg, *Manual of the Nilagiri District*, Appendix, p. lxxviii.

² Harkness, *op. cit.* p. 129.

³ Bastian, ' Ueber die Eheverhältnisse,' in *Zeitschr. f. Ethnol.* vi. 406.

⁴ Dalton, ' The " Kols " of Chota Nagpore,' in *Trans. Ethn. Soc.* N.S. vi. 25.

⁵ Richardson, *Arctic Searching Expedition*, i. 383.

⁶ Kirby, ' Journey to the Youcan,' in *Smithson. Rep.* 1864, p. 419.

⁷ Bancroft, *Native Races of the Pacific States*, i. 131.

⁸ v. Martius, *Beiträge zur Ethnographie Amerika's*, i. 693.

⁹ Schomburgk, *Reisen in Britisch-Guiana*, ii. 459 sq.

¹⁰ Brett, *Indian Tribes of Guiana*, p. 98.

difficulty and without disgrace.¹ That they have marriages appears from other accounts as well, and it is even said that separations between husbands and wives are rare among them.² Bastian further states that the Jolah on the island of St. Mary, according to Hewett, possess their women in common,³ and that, according to Magalhães, the like is true of the Kahyapó of Matto Grosso.⁴ The former of these statements I have been unable to check. As regards the Kahyapó, Magalhães says that their "communism" is of the following kind. When a woman reaches the age at which she is allowed to enter into relations with the other sex she may become pregnant by any man she likes. During the period of pregnancy and suckling she is supported by the father of the child, who also can have intercourse with the other women dwelling in the same hut. Subsequently the woman is at liberty to conceive again by the same man, or she can do so by another one; but if she does the latter, the duty of maintaining the earlier offspring is transferred to the new father.⁵ This can certainly not be called promiscuity. Krause says that monogamy seems to prevail among the Kahyapó.⁶

Garcilasso de la Vega asserts that among the natives of Passau, in Peru, before the time of the Incas, men had no separate wives. He assures us that he saw those Indians with his own eyes when on his way to Spain, as the ship stopped on their coast for *three days*.⁷ Speaking of the Yahgans of Tierra del Fuego, Admiral Fitzroy says, "We had some reason to think there were parties who lived in a promiscuous manner—a few women being with many

¹ Lozano, *Descripción chorographica del terreno, &c. de las Provincias del Gran Chaco, Gualamba*, p. 70.

² Charlevoix, *History of Paraguay*, i. 91 sq. Sánchez Labrador, *El Paraguay Católico*, ii. 24 sqq. do Prado, 'Historia dos Indios Cavalleiros, da Nação Guaycurú,' in *O Patriota*, 1814, no. 4, p. 20 sq.

³ Bastian, *Rechtsverhältnisse*, p. lxi. n. 36.

⁴ *Idem*, *Die Culturländer des alten America*, ii. 654 n. 4.

⁵ Couto de Magalhães, *Trabalho preparatorio para aproveitamento do selvagem e do solo por elle occupado no Brazil. O selvagem*, p. III.

⁶ Krause, *In den Wildnissen Brasiliens*, p. 401.

⁷ Garcilasso de la Vega, *Royal Commentaries of the Yncas*, ii. 443.

men."¹ With reference to this statement Mr. Bridges, who had lived amongst them for thirty years, wrote to me, "Admiral Fitzroy's supposition concerning parties among the natives who lived promiscuously is false, and adultery and lewdness are condemned as evil, though through the strength of animal passions very generally indulged, but never with the consent of husbands or wives, or of parents."

According to Wilken, there is no marriage among the Lubus of Sumatra, the Pogy Islanders off the west coast of that island, the Olo Ot together with a few other tribes of Borneo, the mountaineers of Peling east of Celebes, and the Orang Sakai, Orang Semang, and Orang Benua of Malacca.² None of these statements can be trusted. Van Ophuijsen assures us that among the Lubus a man has to give presents to the father of the girl he marries.³ Of the Pogy Islanders, Crisp wrote at the end of the eighteenth century, "Simple fornication between unmarried persons, is neither a crime nor a disgrace: and a young woman is rather liked the better, and more desired in marriage, for having borne a child."⁴ This implies that marriage prevailed among them; and the same is testified by later authorities. According to Rosenberg⁵ and Hollander,⁶ a man has only one wife, whom he buys from her parents, divorces are unknown, and in the case of adultery both culprits are punished with death. Among the Olo Ot, according to Schwaner, the will of the girl plays the most important part at the conclusion of a marriage; he adds that the marriage tie is very loose among them, but says expressly that the statement which denies the existence of marriage among them is based on

¹ King and Fitzroy, *Voyages of the Adventure and Beagle*, ii. 182.

² Wilken, in *De Indische Gids*, 1880, vol. ii. 610 sq. *Idem*, *Over de verwantschap en het huwelijks- en erfrecht bij de volken van het maleische ras*, pp. 20, 82 note.

³ van Ophuijsen, 'De Loeboes,' in *Tijdschrift voor indische taal-, land- en volkenkunde*, xxix. 97 sq.

⁴ Crisp, 'Account of the Inhabitants of the Pogy Islands,' in *Asiatick Researches*, vi. 87 sq.

⁵ Rosenberg, *Der malayische Archipel*, p. 199.

⁶ Hollander, *Handleiding bij de beoefening der land- en volkenkunde van Nederlandsch Oost-Indië*, i. (1895) p. 615.

hearsay only.¹ As for the mountaineers of Peling, it is significant that, in a later edition of the very work from which Wilken derived his information, the sentence in which marriage is said to be unknown among them² has been excluded.³ Wilken also refers to a statement of a person who has several times visited Peling and each time stayed there for a considerable period, to the effect that the mountaineers there "on the whole have no idea of the marriage tie: men and women meet each other only temporarily, and mingle without any shame before the eyes of all."⁴ But M. de Clercq states, on the other hand, that it is entirely untrue that the islanders of Peling have no marriage; they usually have one wife, whom they acquire by purchase.⁵ Miklucho-Maclay wrote of the Orang Sakai:—"Communal marriage exists, it appears, among the Orang Sakai; at least I must conclude so from a great number of accounts. A girl having been married to a man for some days or weeks goes, with his consent, and voluntarily, to live for a shorter or longer period with another man. She thus goes in turn to all the men of the party until she comes back to her first husband; she does not remain with him however but continues to engage in such temporary marriages, which are regulated by chance and by her wishes. She is however considered the wife of the man who first took her."⁶ Mr. Skeat observes that this is "the only notice of such a custom, and resting as it does on second-hand evidence or worse, cannot be accepted without corroboration."⁷

¹ Schwaner, *Borneo*, i. 230, 231 note:—"De Koeteinezen verhalen, dat hunne Ot geene huwelijken sluiten, geen woningen hebben, en als de dieren des wouds door hen gejaagd worden."

² Hollander, *op. cit.* ii. (1864), p. 236:—"Zelfs het huwelijk ie bij hen niet bekend."

³ The same work, 5th edition, revised by R. van Eck, ii. (1898) p. 235.

⁴ Wilken, in *De Indische Gids*, 1880, vol. ii. 610.

⁵ de Clercq, *Bijdragen tot de kennis der residentie Ternate*, p. 131.

⁶ Miklucho-Maclay, 'Ethnological Excursions in the Malay Peninsula,' in *Jour. Roy. Asiatic Soc. Straits Branch*, no. ii. 215.

⁷ Skeat and Blagden, *Pagan Races of the Malay Peninsula*, ii. 56 n. 2. As regards the untrustworthiness of Malay evidence see Favre, *Account of the Wild Tribes inhabiting the Malayan Peninsula*, p. 47, and Annandale and Robinson, *Fasciculi Malayenses*, i. 6.

Miklucho-Maclay admits himself that his meetings with the Orang Sakai were too short to enable him to say much on the subject of their mode of living and customs, and that he only received his information about their "communal marriage" from Malays in Pahang and members of the Catholic Mission at Malacca.¹ According to Maxwell, the stringency which attaches to the marriage law of the Sakai is astounding, and the punishment for adultery is death, usually carried out by a relative.² M. Pleyte, who in a violent attack upon my criticism of Wilken's statements in the first edition of the present work accuses me of having evaded those relating to the Orang Sakai and the mountaineers of Peling,³ could thus no longer maintain that these statements are better substantiated than the rest. With regard to the Semang, Mr. Skeat writes that they are, as far as he could learn, habitually monogamists, and that he failed to obtain any sort of evidence in support of the statement which has been more than once advanced, namely, that their women were in common like their other property.⁴ "This idea," he says, "of the laxity of the marriage-tie among the Negritos may possibly arise from the great ante-nuptial freedom which appears to be allowed, but there is every reason to believe that when once married the Semang of both sexes are in the highest degree faithful to each other and that cases of unfaithfulness are exceedingly rare. That conjugal infidelity is strongly discountenanced is shown by the penalty assigned to it."⁵ Another first-class authority, Dr. Martin, writes :—"So far as my own experience goes, the pure Senoi and Semang tribes are thoroughly monogamous—again a fresh evidence against the formerly so highly cherished hypothesis of promiscuity in primitive

¹ Miklucho-Maclay, *loc. cit.* pp. 211, 215 n. 16.

² [Maxwell, in] *Jour. Roy. Asiatic Soc. Straits Branch*, no. i. 112.

³ Pleyte, in a review of the first edition of the present work in *De Indische Gids*, 1891, p. 2048.

⁴ Newbold wrote (*Account of the British Settlements in the Straits of Malacca*, ii. 379), "The Semang women like those of the ancient Massagetae, and the more modern Tartar Kie-Kia-sse tribes, are said to be in common like their other property."

⁵ Skeat and Blagden, *op. cit.* ii. 55 sq. See also *ibid.* ii. 59.

forms of human life. Most of the earlier observers also agree with this opinion." Polygyny, he adds, has been found only among border tribes who have come into closer contact with the Malays.¹ Among the pure tribes adultery is generally punished with death,² and among the Semang, according to Vaughan Stevens, it very rarely happens that a man has intercourse with another man's wife.³ Of the Semang of Ijoh, Swettenham says not only that they as a rule have one wife, but that there is no divorce among them.⁴ Wilken's statement that the Orang Benua have no marriage—repeated by M. Pleyte and Dr. R. Schmidt⁵—is likewise contradicted by the information given by many authorities, who speak about their marriages.⁶ We are told that polygamy is prohibited among them⁷ or exceptional,⁸ that adultery is very rare,⁹ and that any married person surprised in it might be put to death, though if a woman so surprised could prove that she was seduced she would not be put to death but would be sent away by her husband.¹⁰ According to Newbold, a man can divorce his wife and take another,¹¹ according to Favre he lost the dowry given to her in case he divorced her,¹² according to Vaughan Stevens divorce does not occur among them.¹³

M. Pleyte,¹⁴ partly followed by Dr. Schmidt,¹⁵ and van der

¹ Martin *Die Inlandstämme der Malayischen Halbinsel*, p. 864 sq.

² *Ibid.* p. 874.

³ Stevens, *Materialien zur Kenntniss der wilden Stämme auf der Halbinsel Malaka*, ii. 132.

⁴ Swettenham, 'Comparative Vocabulary of the Dialects of some of the Wild Tribes inhabiting the Malayan Peninsula,' in *Jour. Roy. Asiatic Soc. Straits Branch*, no. v. 156.

⁵ Schmidt, *Liebe und Ehe im allen und modernen Indien*, p. 331.

⁶ Skeat and Blagden, *op. cit.* ii. 79 sqq. Newbold, *op. cit.* ii. 407 sq.

⁷ Newbold, *op. cit.* ii. 408. Favre, in *Journal Indian Archipelago*, ii. 269.

⁸ Logan, 'Orang Binua of Johore,' in *Journal Indian Archipelago*, i. 270. Grünwedel, 'Die Reisen des Hrn. Vaughan Stevens in Malacca,' in *Verhandl. Berliner Gesellsch. Anthrop.* 1891, p. 833.

⁹ Grünwedel, *loc. cit.* p. 833.

¹⁰ Favre, *loc. cit.* p. 269.

¹² Favre, *loc. cit.* p. 269.

¹⁴ Pleyte, *loc. cit.* p. 2049 sq.

¹¹ Newbold, *op. cit.* ii. 408.

¹³ Grünwedel, *loc. cit.* p. 833.

¹⁵ Schmidt, *op. cit.* p. 330 sq.

Lith,¹ mentions among peoples living in promiscuity the Orang Benua of Johor, the Orang Gunung of Biliton, and the Dyaks of Sidin, because husbands sometimes exchange their wives—which, so far as I can see, presupposes that they must have wives to exchange—as also the Dyaks of Singkawang in Western Borneo, who on the authority of Adriani are said to have communal marriage. I have entered into all these details because M. Pleyte has accused me of using indirect means in my criticism,² by which he probably means that I did not deal with all the statements made by Wilken. My subsequent researches have only strengthened my conviction of their exceedingly uncritical character. For the benefit of future champions of the hypothesis of promiscuity I shall add the following statement, which seems to have escaped the vigilance of my Dutch antagonists. Friar Odoric of Pordenone, who visited Sumatra in the earlier part of the fourteenth century, says that somewhere in that island “all the women be in common; and no one there can say, this is my wife, or this is my husband! But when a woman beareth a boy or a girl she giveth the child to whom she listeth of those with whom she hath consorted, and calleth him the father. The whole of the land likewise is in common.”³ I cannot prove that the Friar was wrong, but he does not convert me.

Wilutzky asserts that individual marriage is unknown both among the forest tribes in the interior of Malacca and “to a large extent” (*in weitem Umfang*) in Africa, for instance in Darfur and among the Kafirs.⁴ That such a statement can occur in a book with scientific pretensions written in the twentieth century is almost incredible. Otherwise Africa has, since the days of ancient Greece and Rome, contributed very little to the lists of peoples put together by the advocates of primitive promiscuity. Giraud-Teulon⁵ refers to Dapper’s

¹ van der Lith, Spaan, Fokkens, and Snelleman, *Encyclopaedie van Nederlandsch-Indië*, ii. 63.

² Pleyte, *loc. cit.* p. 2051.

³ ‘Travels of Friar Odoric of Pordenone,’ in Yule, *Cathay and the Way thither*, ii. 147 sq.

⁴ Wilutzky, *op. cit.* i. 20.

⁵ Giraud-Teulon, *op. cit.* p. 72.

old description of the kingdom of Bornu, in which the people are said to have neither law, nor religion nor any proper names, and to possess their women and children in common, and the king is said to be so rich that all his utensils are made of gold.¹ This does not sound very convincing. Dr. Post has found no people in Africa living in a state of promiscuity.²

I have now mentioned all the cases which are known to me of peoples said to live in a state of promiscuity. I think that it would be difficult to find a more untrustworthy collection of statements. Some of them are simply misrepresentations of theorists in which sexual laxity, frequency of separation, polyandry, group-marriage or something like it, or absence of a marriage ceremony or of a word for "to marry" or of a marriage union similar to our own is confounded with promiscuity. Others are based upon indefinite evidence which may be interpreted in one way or another, or on information proved to be inaccurate. And not a single statement can be said to be authoritative or even to make the existence of promiscuity at all probable in any case. That no known savage people nowadays is, or recently has been, living in such a state is quite obvious, and this greatly discredits the supposition that promiscuity prevailed among any of the peoples mentioned by classical or mediæval writers in their summary and ambiguous accounts.

But even if we had reason to believe that a few peoples really have had nothing but promiscuity, it would be a great mistake to infer that these utterly exceptional cases represented a stage of human development which mankind as a whole has gone through. Further, nothing would entitle us to consider this promiscuity as a survival of the primitive condition of man, or even as a mark of a very rude state of society. It is by no means among the very lowest races that sexual relations most nearly approach to promiscuity: we shall find that many or most of them are completely or almost completely monogamous, and

¹ Dapper, *Description de l'Afrique*, p. 223.

² Post, *Afrikanische Jurisprudenz*, i. 304.

that among some of them even divorce is said to be unknown. Nowhere seems the fidelity of married women to be less insisted upon than among various polyandrous peoples who are pastoral or agricultural in their habits and certainly cannot be looked upon as representatives of the lowest type of humanity known to us. Mr. Rowney states that among the Bhutias the marriage tie is so loose that chastity may be said to be quite unknown, that the husbands are indifferent to the honour of their wives, that "the intercourse of the sexes is, in fact, promiscuous." But the Bhutias are followers of Buddha, and "can hardly be counted among the *wild* tribes of India, for they are, for the most part, in good circumstances, and have a certain amount of civilisation among them."¹ Dr. Jochelson writes in his excellent monograph on the Koryak :—"Sociologists who think that all mankind, without exception, have passed through the so-called period of promiscuity as a necessary stage in the evolution of marital relations, might find this stage in the free morals prevalent in the hamlets of the Russians or Russianised natives of north-western Siberia. It is difficult to find a girl that has reached or even approached the age of sexual maturity that is innocent. . . . On the Kolyma, where often several families live together in one house, it is difficult to say who is whose wife."² A very different state of morals prevails among the Koryak who have not been adulterated by the bearers of Russian civilisation.

To sum up : even if there really are or have been peoples living in a state of promiscuity, which has never been proved and is exceedingly hard to believe, these peoples do not afford any evidence whatever for promiscuity having been the rule in primitive times.

¹ Rowney, *Wild Tribes of India*, pp. 142, 143, 140.

² Jochelson, *Koryak*, p 733 sq.

CHAPTER IV

A CRITICISM OF THE HYPOTHESIS OF PROMISCUITY : PRE-NUPTIAL UNCHASTITY

It is argued that promiscuity is by no means restricted to those peoples who are said to have nothing else. Side by side with marriage it is found among savages in all parts of the world, and very frequently not as a mere fact but as a practice permitted by custom. This, we are told, shows that sexual intercourse must originally have been unchecked.¹

It is a well-known fact that among many uncivilised peoples both sexes enjoy perfect freedom previous to marriage. Instances of this have been given by myself² as well as by other writers,³ and I could fill pages with fresh materials at my disposal. If we look at the facts a little more closely, however, we soon find that many of them could not, in any circumstances, be regarded as relics of primitive promiscuity—either because they are known to be of later growth, or because they do not represent promiscuity at all.

¹ Post, *Die Grundlagen des Rechts*, p. 187. Wilken, 'Over de primitieve vormen van het huwelijk en den oorsprong van het gezin,' in *De Indische Gids*, 1880, vol. ii. 1195. Wilutzky, *Vorgeschichte des Rechts*, i. 26 sqq. Bloch, *Sexual Life of Our Time*, p. 189 sqq. Corin, *Mating, Marriage, and the Status of Woman*, p. 111 sq.

² *Origin and Development of the Moral Ideas*, ii. 422 sqq.

³ See, e.g., Post, *Grundriss der ethnologischen Jurisprudenz*, i. 21 sqq.; Hartland, *Primitive Paternity*, ch. vi.; Hobhouse, Wheeler, and Ginsberg, *Material Culture and Social Institutions of the Simpler Peoples*, p. 176 sqq.

In various cases we are told that the wantonness of savages is chiefly due to contact with civilised races. The pioneers of a "higher civilisation" are very frequently unmarried men who go out to make their living in uncivilised lands, and though unwilling to contract regular marriages with native women, they may have no objection to corrupting their morals. It is strange to hear from a modern student of anthropology, and especially from an Australian writer, that in sexual licence the savage has never anything to learn, and that "all that the lower fringe of civilised men can do to harm the uncivilised is to stoop to the level of the latter instead of teaching them a better way."¹ Mr. Edward Stephens has a very different story to tell with reference to the tribes which once inhabited the Adelaide Plains in South Australia. "As a rule, to which there are no exceptions," he says, "if a tribe of blacks is found away from the white settlement, the more vicious of the white men are most anxious to make the acquaintance of the natives, and that, too, solely for purposes of immorality. . . . I saw the natives and was much with them before those dreadful immoralities were well known, . . . and I say it fearlessly, that nearly all their evils they owed to the white man's immorality and to the white man's drink."² Mr. Curr observes that prior to the coming of the whites the Bangerang in Victoria as a rule "enforced constancy on the part of their wives, and chastity on their unmarried daughters."³

Speaking of some cannibals in New Guinea, Dr. Chalmers remarks :—"Why savages should be always spoken of as immoral I fail to see. They are not so when compared with the more highly civilised countries of the world. I am sorry to have to say that it is contact with the civilised white that demoralises them, and they then become loose and immoral."⁴ From Fiji "there is a mass of

¹ Sutherland, *Origin and Growth of the Moral Instinct*, 1. 186.

² Stephens, 'Aborigines of Australia,' in *Jour. Roy. Soc. N. S. Wales*, xxiii. 480.

³ Curr, *Recollections of Squatting in Victoria*, p. 249

⁴ Chalmers, *Pioneer Life and Work in New Guinea*, p. 112

evidence to show that in heathen times the majority of girls were virgins until they married or entered into concubinage, because the law of custom allowed them no opportunities for secret amours ; whereas, after fifty years of individual freedom, it is extremely rare for a girl to preserve her virtue to the age of eightecn." It was with the introduction of Christianity, says Sir Basil Thomson, that there came a change ;¹ earlier writers speak of the bad influence of European sailors.² When visiting the Sandwich Islands with Cook, Vancouver saw little or no appearance of wantonness among the women. But when he visited them some years afterwards it was very conspicuous ; and he ascribes this change in their habits to the intercourse with foreigners.³ Owing to the same influence, it is said, the women of Ponapé (Caroline Islands) and Tanna (New Hebrides) lost their modesty.⁴ Even in Tahiti, so notorious for the licentiousness of its inhabitants, immorality was formerly less than it became subsequently. When a girl who had been betrothed as a child grew up, a small platform of considerable elevation was erected for her abode within the dwelling of her parents in order that she should not lose her virtue. " Here she slept and spent the whole of the time she passed within doors. Her parents, or some member of the family, attended her by night and by day, supplied her with every necessary, and accompanied her whenever she left the house. Some of their traditions," Ellis adds, " warrant the inference that this mode of life, in early years, was observed by other females besides those who were betrothed."⁵

In Madagascar most of the tribes attach no importance to the chastity of a girl.⁶ But, says Mr. Sibree, " there

¹ Thomson, *Fijians. A Study of the Decay of Custom*, p. 236 sqq. See also *ibid.* p. 176.

² Meinicke, *Die Inseln des Stillen Oceans*, ii. 45.

³ Vancouver, *Voyage of Discovery*, i. 171 sq.

⁴ Waitz-Gerland, *Anthropologie der Naturvölker*, vol. v. pt. ii. 108. Brenchley, *Jottings among the South Sea Islands*, p. 208.

⁵ Ellis, *Polynesian Researches*, i. 270.

⁶ Sibree, *The Great African Island*, p. 252. Grandidier, *Ethnographie de Madagascar*, ii. 134 sqq.

are some other tribes, more isolated, as certain of the eastern peoples, where a higher standard of morality prevails, girls being kept scrupulously from any intercourse with the other sex until they are married."¹ M. Grandidier observes that in certain parts of that island the girls were in former days much chaster than after they came into contact with Europeans.² The Bantu Kavirondo were much more moral than most of the other tribes of the Uganda Protectorate "before they became corrupted by Swahili porters from the coast, Indians, and white men."³

Admiral Fitzroy observed that the unchastity of the Patagonian women did not correspond with the pure character attributed to them at an earlier time by Falkner, and he thinks that "their ideas of propriety may have been altered by the visits of licentious strangers."⁴ A more recent traveller, Captain Musters, observed indeed little immorality amongst the Indians while in their native wilds.⁵ Among the Huitoto Indians of the Putumayo region, says Hardenburg, "the women are naturally chaste, and it was not until the advent of the rubber-collectors that they began to lose this primitive virtue, so generally met with among people not yet in contact with white men."⁶ Concerning the Pima Indians of Arizona, Mr. Russell says that before they came in contact with "civilisation" chastity was the rule among the young women.⁷ Among the Yokut of California the freedom of the unmarried people of both sexes is very great now, but they are said to have been comparatively virtuous before the arrival of the Americans.⁸ In British Columbia and Vancouver Island, according to Lord, breaches of chastity on the part either of married or unmarried females were in primitive times often punished by death among the interior tribes,

¹ Sibree, *op. cit.* p. 252.

² Grandidier, *op. cit.* ii. 137.

³ Johnston, *Uganda Protectorate*, p. 746.

⁴ King and Fitzroy, *Narrative of the Voyages of the Adventure and Beagle*, ii. 173.

⁵ Musters, *At Home with the Patagonians*, p. 197.

⁶ Hardenburg, *Putumayo*, p. 154.

⁷ Russell, 'Pima Indians,' in *Ann. Rep. Bur. Ethnol.* xxvi. 182.

⁸ Powers, *Tribes of California*, p. 381.

whereas among the fish-eaters of the north-west coast "it has no meaning, or, if it has, it appears to be utterly disregarded."¹ Among the Queen Charlotte Islanders the present depravation has, according to Captain Jacobsen, been caused by the gold diggers who went there in the middle of the last century.² In Greenland, says Dr. Nansen, "the Eskimo women of the larger colonies are far freer in their ways than those of the small outlying settlements where there are no Europeans."³

From his experience in Siberia Dr. Jochelson has come to the conclusion that "every contact between representatives of civilised nations and primitive tribes lowers the ideal of the latter by destroying those customs which used to restrict the freedom of sexual relations among these tribes." This is shown by the striking contrast between the relations of the sexes among the Koryak, where there is a lack of Russian influence, and those prevailing among the neighbouring tribes—the Kamchadal, Chukchee, Yukaghir, and Tungus. Among the Koryak, girls before marriage must not have sexual intercourse with men; this rule is pretty strictly observed by them. Young men will not "serve" for a dissolute girl; and "should a girl become pregnant before marriage it is considered shameful and her parents scold her. . . . In olden times cohabitation out of wedlock with a girl sometimes led to wars between the families to which the young people belonged."⁴ Vámbéry writes, "The difference in morality which exists between the Turks affected by a foreign civilisation and kindred tribes inhabiting the steppes, becomes very conspicuous to any one living among the Turkomans and Kara-Kalpaks; for whether in Africa or Asia, certain vices are introduced only by the so-called bearers of culture."⁵ Mr. Endle praises

¹ Lord, *The Naturalist in Vancouver Island*, ii. 233.

² Woldt, *Capitain Jacobsen's Reise an der Nordwestküste Amerikas*, p. 28.

³ Nansen, *First Crossing of Greenland*, ii. 329.

⁴ Jochelson, *Koryak*, p. 733 *sqq.* *Idem*, *Yukaghir*, p. 62. See also Bogoras, *Chukchee*, p. 572.

⁵ Vámbéry, *Die primitive Cultur des turko-tatarischen Volkes*, p. 72.

the Kacháris of Assam for their chastity before marriage and their faithfulness to their marriage vows in after-life ; but he adds that this holds good of the Kachári in his simple, patriarchal, village life, and there only. When contaminated by civilisation, much of his innocence disappears : " of this sad deterioration of character any man who has been long in the country, and learnt to know the people well, must have experienced many melancholy and painful illustrations."¹ On the other hand, Mr. Gait, opposing my statement that contact with a higher culture has proved pernicious to the morality of savage peoples, maintains that " on the whole, there can be no doubt that the relations of the sexes in India are steadily becoming more regular."² The evidence he produces chiefly shows that polyandry is dying out, or has died out ; but as polyandry is commonly combined with general sexual laxity its disappearance may have raised the standard of pre-nuptial chastity. It also seems that Hindu civilisation has in some degree exercised a chastening influence on the Mongolian and Dravidian population of India. When speaking of contact with a " higher civilisation " I am chiefly thinking of contact with Europeans.

The facts I have quoted are certainly sufficient to prove that the pre-nuptial freedom which is found among so many simple peoples is not always primitive. Nor must it be identified with promiscuity. It does not mean that an unmarried woman is constantly changing her lovers or an unmarried man the objects of his love, or that they can do so without reproach. Sexual connections between a boy and a girl are very frequently a preliminary to their marriage. They may be a regular method of courtship, or they may be a trial before establishing more permanent relations.

Among the Yukaghir, in spite of the sexual licence which prevails among their young people, the word *aya'bol'*, which is used for a youth who courts several girls, and for a girl who is accessible, is considered an insult, and for such a girl, according to the songs, the lads do not serve. " The

¹ Endle, *Kacháris*, p. 3.

² Gait, *Census of India*, 1911, vol. i. (India) Report, p. 248 sq.

time of 'free love' among young people," says Dr. Jochelson, "may be regarded as a period of trial."¹ Of various tribes in India, such as the Tipperahs,² Oráons,³ and Kolyas,⁴ it is said that unmarried girls may cohabit freely with young men, but are never found living promiscuously with them. The Tounghtha of the Chittagong Hills draw "a strong distinction between a woman prostituting herself habitually as a means of livelihood, and the intercourse by mutual consent of two members of opposite sexes, leading, as it generally does, to marriage."⁵ Of some other tribes in India we are told that they "allow a probationary period of cohabitation," no stigma, however, attaching to the girl if this does not culminate in marriage.⁶

Among the Sea Dyaks promiscuous immorality is said to be unknown. It is true that very often a girl is with child before her marriage, but the father generally acknowledges the child and marries the woman; intercourse often takes place between those who have been betrothed, but not formally married, simply to ascertain if the marriage will be fruitful.⁷ Among the Bontoc Igorot of Northern Luzon "marriage never takes place prior to sexual intimacy, and rarely prior to pregnancy"; and although it is customary for a young man to be sexually intimate with one, two, three, or even more girls at the same time, "a girl is almost invariably faithful to her temporary lover."⁸ Among the Southern Massim in British New Guinea, according to Dr. Seligman, marriage does not normally take place except after more or less prolonged sexual connections; and he

¹ Jochelson, *Yukaghir*, pp. 62, 63, 65, 66, 87.

² Dalton, *Descriptive Ethnology of Bengal*, p. 203.

³ *Ibid.* p. 248.

⁴ Watt, 'Aboriginal Tribes of Manipur,' in *Jour. Anthr. Inst.* xvi. 358.

⁵ Lewin, *Wild Races of South-Eastern India*, p. 193.

⁶ Gait, *op. cit.* p. 243.

⁷ Gomes, *Seventeen Years among the Sea Dyaks of Borneo*, pp. 68, 69, 127. Brooke Low, quoted by Ling Roth, *Natives of Sarawak*, i. 115. See also St. John, *Life in the Forests of the Far East*, i. 53 (Dyaks on the Batang Lupar).

⁸ Jenks, *Bontoc Igorot*, p. 66.

believes it can be stated "that love affairs undertaken lightly, under conditions which render marriage impossible or very unlikely, are in a sense excrescences upon a system in which intercourse was in theory at any rate the mode of courtship."¹ In Kaiser Wilhelm Land, also, marriage is as a rule preceded by sexual intimacy.² But among the natives of Mailu in British New Guinea a different custom prevails. Dr. Malinowski tells us that when their young men have serious matrimonial plans there is no sexual intercourse between the boy and the girl, whereas if he does not want to marry her intercourse takes place. Yet the great freedom enjoyed by the young people does not mean "that there is anything like a promiscuous intercourse or even anything approaching licentiousness in sex matters. . . . A girl who changes her lover often is considered decidedly open to blame; a girl once betrothed is bound to keep chaste, the same rule of conduct applying to a boy."³ So also in the Tonga Islands, where unmarried women might bestow their favours upon whomsoever they pleased without any opprobrium, it was thought shameful for a woman frequently to change her lover.⁴

Speaking of the absence of restraint in sexual matters among the natives of Madagascar, M. Grandidier likewise remarks, "Malgré cette liberté excessive des mœurs, il est honteux pour une jeune fille de prendre tous les jours un nouvel amant; mais . . . lorsqu'il y a profit, il n'y a plus ni discrédit ni honte." Their marriages are preceded by shorter or longer periods of free intercourse, in order that the couple shall learn to know each other; this is the case even among the Antimoronā, who exact absolute chastity from their women but nevertheless consider it necessary that there shall be a week's probation previous to the celebration of the marriage.⁵ The Thonga, a Bantu tribe on the eastern

¹ Seligman, *Melanesians of British New Guinea*, p. 499.

² Neuhauss, *Deutsch Neu-Guinea*, i. 160.

³ Malinowski, 'Natives of Mailu,' in *Trans. Roy. Soc. South Australia*, xxxix. 559, 561.

⁴ Mariner, *Natives of the Tonga Islands*, ii. 174.

⁵ Grandidier, *op. cit.* ii. 72, 136, 161-163, 185.

coast of South Africa, have the following custom, which they call *gangisa*. When boys have gone through the puberty rites they ask the girls each to choose one of them, and when the girl has made her choice her boy plays with her as husband and wife, first in building little huts, and so forth, but later on in a less platonic way. In fact, nothing is prohibited in the relations between the young people of both sexes except that the girls must not become pregnant. If this happens the parents of the girl tell the lover to marry her, and if he refuses, the child will belong to the family of the girl. At the same time the Thonga have the idea "that promiscuity of any kind is a bad and a dangerous thing"; and even in the case of *gangisa* boys are censured when two of them court the same girl.¹ Nor can the term "promiscuity" be applied to the relations between the Masai warriors, who are not allowed to marry, and the immature girls, or *ditos*, of their tribe with whom they live. The warrior chooses the *dito* he fancies, and makes her mother numerous small presents. As a rule he keeps only one or two *ditos* at a time, and on returning from war, more often than not, continues with the same *ménage*. If he is dissatisfied with the *dito* he has chosen he returns her to her mother, and selects another, but this is of rare occurrence. When the girl is nearing womanhood, she generally leaves the warrior and goes back to her mother. But if by chance she remains with him and conceives by him, he may make up his mind eventually to marry the girl; according to Baumann, it is even customary for him to do so, although he may free himself from it by giving a present to her father.² Among the Warega in the Belgian Congo continence before marriage is unknown; but if a woman too often changes her lover she loses her good name and is called *kilazi*, that is, prostitute.³ Among the West African Pangwe the free intercourse between a youth and

¹ Junod, *Life of a South African Tribe*, i. 96, 97, 195.

² Hinde, *The Last of the Masai*, pp. 55, 72 sq. Johnston, *Uganda Protectorate*, p. 824. Merker, *Die Masai*, p. 83. Baumann, *Durch Massailand*, p. 161.

³ Delhaise, *Les Warega*, p. 167.

a girl is in many cases only a trial of shorter or longer duration, which if satisfactory leads to marriage.¹

Among many peoples there is a regular marriage upon trial before the union becomes definite, the bridegroom either taking the girl to his own house or going himself to stay with her parents for a certain length of time.² Something of the kind existed even in Scotland prior to the Reformation, as a genuine custom known as "hand-fasting." "At the public fairs men selected female companions with whom to cohabit for a year. At the expiry of this period both parties were accounted free; they might either unite in marriage or live singly."³ A similar custom existed in Ireland, in a very rude form;⁴ and the Welsh, according to Giraldus Cambrensis, did not marry until they had tried, by previous cohabitation, the disposition and particularly the fecundity of the person with whom they were engaged.⁵ In an earlier chapter we have seen that among many uncivilised peoples the free intercourse between unmarried persons generally leads to marriage if

¹ Tessmann, *Die Pangwe*, ii. 260.

² Thurston, *Castes and Tribes of Southern India*, v. 93 (Muduvars) Elton, 'Notes on Natives of the Solomon Islands,' in *Jour. Anthr. Inst.* xvii. 94 sq. Rivers, *History of Melanesian Society*, i. 383 (Hawaiians). Bastian, *Afrikanische Reisen*, p. 71 (Congo natives). Sarytschew, 'Account of a Voyage of Discovery to the North-East of Siberia,' in *Collection of Modern and Contemporary Voyages*, vi. 76 (Aleut). Simpson, quoted by Murdoch, 'Ethnological Results of the Point Barrow Expedition,' in *Ann. Rep. Bur. Ethn.* ix. 412 (Eskimo). Parkman, *Jesuits in North America in the Seventeenth Century*, p. xxxiv. (Hurons). Strachey, *Historie of Travaile into Virginia Britannia*, p. 110. James, *Indians of the Painted Desert Region*, p. 228 (Havasupai of Arizona). Grubb, *An Unknown People*, p. 214 (Lengua Indians of the Paraguayan Chaco). Wilken, *Das Matriarchat bei den alten Arabern*, p. 21 sq. Ploss-Bartels, *Das Weib*, i. 660 sqq. Potter, *Sohrab and Rustem*, p. 129 sqq. Wilutzky, *op. cit.* i. 21 sq.

³ Rogers, *Scotland Social and Domestic*, p. 109. See also Dalryell, *Darker Superstitions of Scotland*, p. 283.

⁴ Gomme, 'Exogamy and Polyandry,' in *Archæological Review*, i. 391.

⁵ Giraldus de Barri, *Description of Wales*, book ii. ch. 6 (*Itinerary of Archbishop Baldwin through Wales*, vol. ii. 346).

the girl becomes pregnant or gives birth to a child, or that a seducer or lover in such a case is compelled to marry her or otherwise has to pay a fine.¹ All this presupposes that the father of the child is known—which means something very different from promiscuity.

Of course I do not mean to say that pre-nuptial relations among simple peoples always have this character. We have too many and too positive statements to the contrary to allow us to doubt that promiscuity outside marriage does exist. Among the Point Barrow Eskimo, according to Mr. Murdoch, "promiscuous sexual intercourse between married or unmarried people, or even among children, appears to be looked upon simply as a matter for amusement."² Concerning the natives of St. Christoval and adjacent islands, of the Solomons, we are told that "for two or three years after a girl has become eligible for marriage she distributes her favours amongst all the young men of the village";³ and in Rubiana, belonging to the same group, it is considered an honour for an adult girl to have intercourse with as many men as possible within a short time.⁴ The Hawaiians regarded it as "a meanness for a man or woman to refuse a solicitation for sensual gratification."⁵ Among the common Line Islanders of the Gilbert Group and some neighbouring islands marriage was the exception and free intercourse the rule, and a woman was at liberty to accept as many men as would take her, provided they paid for the privilege.⁶ The young girls of Madison's Island, of the Marquesas, "are the wives of all who can purchase their favours, and a handsome daughter is considered by her parents as a blessing which secures to them, for a time, wealth and abundance."⁷ And besides the

¹ *Supra*, p. 72 *sqq.*

² Murdoch, 'Ethnological Results of the Point Barrow Expedition,' in *Ann. Rep. Bur. Ethn.* ix. 419.

³ Guppy, *Solomon Islands*, p. 43.

⁴ Ribbe, *Zwei Jahre unter den Kannibalen der Salomo-Inseln*, p. 270.

⁵ Jarves, *History of the Hawaiian Islands*, p. 42.

⁶ Tutuila, 'Line Islanders,' in *Jour. Polynesian Soc.* i. 270.

⁷ Porter, *Journal of a Cruise made to the Pacific Ocean*, ii. 60.

prostitution of girls by their parents¹ and of married women by their husbands² we also find among various uncivilised peoples prostitution carried on by a class of professionals.³

There are harlots in some of the Melanesian islands; "at Santa Cruz," says Dr. Codrington, "where the separation of the sexes is so carefully maintained, there are certainly public courtesans."⁴ Among the Line Islanders a *niki-rau-raro*, who is earning her living by prostitution, "is greatly respected and envied if successful in doing it."⁵ A similar demi-monde class (*raran*) is found in Ponapé, of the Caroline Islands.⁶ In Easter Island, where there were many more males than females, some of the young women remained unmarried and offered themselves up to men; they seem to have been looked upon as a kind of public benefactors.⁷ In the Hawaiian Islands, on the other hand, "common and frequent prostitution was considered in some degree disreputable, and it was enjoined by the better class of parents on their sons to avoid it."⁸ In Greenland there were professional harlots even in early times,⁹ and similar women have been found among various Indian tribes in North and South America.¹⁰ Among the Omaha, who called them *minckeda*, they were hardly ever girls but

¹ See, e.g., Lery, *Histoire d'un voyage faict en la terre du Brésil*, p. 303 (Tupis); Hennepin, *New Discovery of a Vast Country in America*, p. 481 (Iroquois, &c.); Stannus, 'Notes on some Tribes of British Central Africa,' in *Jour. Roy. Anthr. Inst.* xl. 299.

² See, e.g., Parry, *Journal of a Second Voyage for the Discovery of a North-West Passage*, p. 529 (Eskimo of Melville Peninsula); Kumlien, *Contributions to the Natural History of Arctic America*, p. 16 (Eskimo of Cumberland Sound); *infra*, i. 332 sq.

³ See Ploss-Bartels, *Das Weib*, i. 584; 590.

⁴ Codrington, *Melanesians*, p. 235 sq. See also Powell, *Wanderings in a Wild Country*, p. 261 (natives of New Britain).

⁵ Tutuila, in *Jour. Polynesian Soc.* i. 270.

⁶ Christian, *Caroline Islands*, p. 74.

⁷ Geiseler, *Die Oster-Insel*, p. 29.

⁸ Jarves, *op. cit.* p. 43.

⁹ Cranz, *History of Greenland*, i. 176.

¹⁰ Carver, *Travels through the Interior Parts of North America*, p. 375. Davis, *El Gringo*, p. 221 (Indians of New Mexico). Latham, 'Ethnology of the Araucanos,' in *Jour. Roy. Anthr. Inst.* xxxix. 354.

chiefly divorced wives and they were looked down upon.¹ Among the Karayá, on the River Araguaya, they were women belonging to other tribes.² Among the Witoto and Boro, in the north-west Amazon region, "very frequently widows become the tribal prostitutes, a custom that is not recognised, but is tolerated, and is never practised openly or immodestly."³ Prostitution prevails in many negro countries;⁴ and so favourably, we are told, is this institution sometimes regarded that rich negro ladies on their death-beds buy female slaves and present them to the public, "in the same manner as in England they would have left a legacy to some public charity."⁵ In Unyoro the king usually supported in connection with his own establishment a large number of professional prostitutes—perhaps 2,000—whose existence as an organised corps was recorded by all travellers in that country from the days of Sir Samuel Baker until the complete upsetting of the native Government of Unyoro in 1895.⁶ It does not seem, however, that prostitution is common among unadulterated savages. In some cases it is expressly said to be due to contact with foreigners.⁷

Yet however commonly pre-nuptial chastity be disregarded in the savage world, we must not suppose that such

¹ James, *Account of an Expedition from Pittsburgh*, i. 233, 239. Dorsey, 'Omaha Sociology,' in *Ann. Rep. Bur. Ethn.* iii. 365.

² Krause, *In den Wildnissen Brasiliens*, p. 327.

³ Whiffen, *North-West Amazons*, p. 167.

⁴ Monrad, *Skildring af Guinea-Kysten*, p. 49 (Negroes of Accra). Bowdich, *Mission to Ashantee*, p. 303. Norris, quoted by Ling Roth, *Great Benin*, p. 37 n. 2 (Dahomans). Dennett, *Notes on the Folk-lore of the Fjort (French Congo)*, p. 21. *Emin Pasha in Central Africa*, p. 88.

⁵ Reade, *Savage Africa*, p. 547 sq.

⁶ Johnston, *Uganda Protectorate*, p. 590. *Emin Pasha in Central Africa*, p. 87. Wilson and Felkin, *Uganda*, ii. 49.

⁷ Bogoras, *Chukchee*, p. 610 (the maritime peoples on both coasts of Bering Sea). Bainbridge, 'Saorias of the Rajmahal Hills,' in *Memoirs of the Asiatic Society of Bengal*, ii. 58. Condon, 'Contribution to the Ethnography of the Basoga-Batamba, Uganda Protectorate,' in *Anthropos*, vi. 372. Nordenskiöld, *Indianliv i El Gran Chaco (Syd-Amerika)*, pp. 88, 197.

disregard is anything like a universal characteristic of the lower races. Among very many of them sexual intercourse before marriage is said to be rare, if not unknown, at least on the part of any girl who is not a prostitute, or to be looked upon as a disgrace or punished as a crime ; and in such cases not only the girl but the man who seduced her is subject to punishment or censure. In other cases, again, it is said that the birth of an illegitimate child is followed by punishment. As facts of this kind have been too often overlooked, I shall produce the evidence.

Among many South American Indians there is no doubt great freedom before marriage.¹ But Dobrizhoffer praised the Abiponian women for their virtuous life.² Abbé Ignace tells us that fornication is proscribed among the Canelas in Maranhao.³ Among the Karayá, another Brazilian tribe, virginity is said to be highly esteemed and carefully guarded and sexual intercourse out of wedlock to be severely punished, sometimes even with death.⁴ The latter statement is not confirmed by Krause, but he admits that the girls do their best to preserve their purity and avoid going into the forest alone for fear of the bachelors.⁵ Mr. Whiffen also says that among the Witoto and Boro " virginity, as with us, is strictly protected so far as is possible."⁶ During his nine years' stay in British Guiana, Appun only heard of one illegitimate birth among the natives ; the mother fell into disrepute and was avoided, especially by the men.⁷ When one of the Chichimec of Central Mexico marries, a

¹ Guevara, ' Folklore Araucano,' in *Anales de la Universidad de Chile*, cxxvii. 626 ; Latham, ' Ethnology of the Araucanos,' in *Jour. Roy. Anthr. Inst.* xxxix. 354. Nordenskiöld, *op. cit.* pp. 73, 81 sq. (Choroti). Chomé, ' Dritter Brief,' in Stoecklein, *Der Neue Welt-Bott*, vol. iv. pt. xxix. 72 (Chiriguano of Bolivia). Schmidt, ' Ueber das Recht der tropischen Naturvölker Südamerikas,' in *Zeitschr. vergl. Rechtswiss.* xiii. 309.

² Dobrizhoffer, *Account of the Abipones*, ii. 153.

³ Ignace, ' Les Capiékran,' in *Anthropos*, v. 478.

⁴ Ehrenreich, *Beiträge zur Völkerkunde Brasiliens*, p. 27.

⁵ Krause, *op. cit.* p. 326 sq.

⁶ Whiffen, *op. cit.* p. 156.

⁷ Appun, ' Die Indianer von Britisch-Guayana,' in *Das Ausland*, xlv. 833.

bride who proves not to be a virgin may be returned to her parents.¹ Of the Mexican Tepehuane, Dr. Lumholtz informs us that "outside of her home a woman is absolutely forbidden to speak to any man who does not belong to her own immediate family. . . . Even at the dancing-place it is against the law for her to step aside to exchange a few words with any young man. If discovered in such a compromising position, both offenders are immediately arrested, and their least punishment is two days' imprisonment. If their examination by the judges proves that their conversation was on the forbidden topic of love, they get a whipping and may be compelled to marry."² Among the Hupa of California a grown-up girl was not allowed to be alone with a man either in the house or outside; she was told the results of wrongdoing, and severely punished by beating if she were remiss; and a seducer was obliged to marry his victim.³ Among the Omaha extra-matrimonial intercourse is, as a rule, practised only with public women, or *minckeda*; and so strict are they in these matters, "that a young girl or even a married woman walking or riding alone, would be ruined in character, being liable to be taken for a *minckeda*, and addressed as such."⁴

Of many other North American Indians we read that the girls were chaste or carefully guarded,⁵ or that a girl who

¹ Bancroft, *Native Tribes of the Pacific States*, i. 632.

² Lumholtz, *Unknown Mexico*, i. 467.

³ Goddard, *Life and Culture of the Hupa*, p. 55.

⁴ Dorsey, 'Omaha Sociology,' in *Ann. Rep. Bur. Ethn.* iii. 365. See also Fletcher and La Flesche, 'Omaha Tribe,' *ibid.* xxvii. 323; James, *Account of an Expedition from Pittsburgh to the Rocky Mountains*, i. 239.

⁵ Cremony, *Life among the Apaches*, p. 244 sq. Charlevoix, *Voyage to North-America*, ii. 38 sq.; Parkman, *op. cit.* p. xxxiv. n. 1 (Algonkin). Catlin, *Illustrations of the Manners, &c. of the North American Indians*, i. 121 (respectable families of the Mandan). Schoolcraft, *Archives of Aboriginal Knowledge*, v. 654 (Nez Percés in Oregon). Sapir, 'Notes on the Takelma Indians of Southwestern Oregon,' in *American Anthropologist*, N.S. ix. 274. Hearne, *Journey to the Northern Ocean*, p. 311 (Northern Indians). Morice, 'Great Déné Race,' in *Anthropos*, ii. 32 (various Déné tribes).

was known to have lost her virtue lost with it one of her chances of a favourable marriage;¹ although this by no means applies to all, perhaps not even to the majority, of their tribes.² Among the Tlingit, "if unmarried women prove frail the partner of their guilt, if discovered, is bound to make reparation to the parents, soothing their wounded honour with handsome presents."³ Among the early Aleut, according to Veniaminof, "girls or unmarried females who gave birth to illegitimate children were to be killed for shame, and hidden."⁴ Egede tells us that among the Greenlanders unmarried women observed the rules of modesty much better than married women. "During fifteen full years that I lived in Greenland," he says, "I did not hear of more than two or three young women, who were gotten with child unmarried; because it is reckoned the greatest of infamies."⁵ According to Dalager, whose account likewise dates from the eighteenth century, the Greenlanders, though no models of virtue, are less addicted to wantonness than other peoples. A young man marries as soon as the sexual instinct prompts him to do so and he is able to maintain a wife, and the girls also behave very chastely, since otherwise no bachelor will care to marry them; but it is different with young widows and divorced wives.⁶ Modern accounts are less favourable. Holm says that on the east coast of Greenland it is no disgrace for an unmarried girl to get a child, but that it is a

¹ Sproat, *Scenes and Studies of Savage Life*, p. 95 (Aht). Keating, *Expedition to the Source of St. Peter's River*, ii. 169 sq. (Chippewa). Heriot, *Travels through the Canadas*, p. 339. Waitz, *Anthropologie der Naturvölker*, iii. 505.

² See Cremony, *op. cit.* p. 244 (Navaho); Bossu, *Travels through Louisiana*, i. 231 (Alibamu); Lahontan, *New Voyages to North-America*, ii. 452 sqq. (Indians of Canada). Morice, *loc. cit.* p. 32 (Déné and allophylic North Pacific tribes).

³ Douglas, quoted by Petroff, 'Report on the Population, &c. of Alaska,' in *Tenth Census of the United States*, p. 177.

⁴ Veniaminof, quoted *ibid.* p. 155.

⁵ Egede, *Description of Greenland*, p. 141.

⁶ Dalager, *Grønlandske Relationer*, p. 67.

disgrace for a married woman to get none.¹ Other Eskimo are equally indifferent to the chastity of their girls.²

Among the Siberian and other tribes belonging to the former Russian Empire chastity is generally held in little or no regard ; but, as we have already noticed, this seems partly at least to be due to Russian influence. According to earlier accounts, the bridegroom might, among several of them, claim a fine in case the bride was found to have lost her virtue ;³ and among the Chulim, if the Mosaic testimony of chastity was wanting, the husband went away and did not return before the seducer had made peace with him.⁴ Among the Tungus a seducer was bound to marry his victim and pay the price claimed for her, or, if he refused, submit to corporal punishment.⁵ In order to preserve the virtue of their daughters, the Yakut employ a chastity girdle, which is not removed even at night ; but when the bride price has been partly or fully paid the parents take no further interest in the matter. The Yakut are said to see nothing immoral in free love, provided only that nobody suffers material loss by it.⁶ Among the Koryak the girl is even as inaccessible to the bridegroom while he serves for her as to a stranger ; "intercourse of a bride with her bridegroom before the termination of his service is deemed a sin."⁷ In Circassia an incontinent daughter was generally sold as soon as possible, being a disgrace to her parents ; and if not a virgin, the bride ran the risk of being put away after the

¹ Holm, 'Konebaads-Expeditionen til Grønlands Østkyst, 1883-85,' in *Geografisk Tidsskrift*, viii. 91.

² Murdoch, 'Ethnological Results of the Point Barrow Expedition,' in *Ann. Rep. Bur. Ethn.* ix. 419 sq. Turner, 'Ethnology of the Ungava District,' *ibid.* xi. 189 (Koksoagmiut). Parry, *Second Voyage for the Discovery of a North-West Passage*, p. 529 (Eskimo of Iglulik and Winter Island). Kumlien, *Contributions to the Natural History of Arctic America*, p. 16 (Eskimo of Cumberland Sound).

³ Georgi, *Beschreibung aller Nationen des russischen Reichs*, pp. 79, 104, 237, 238, 283.

⁴ *Ibid.* p. 232.

⁵ *Ibid.* p. 311.

⁶ Sieroshevski, quoted by Miss Czaplicka, *Aboriginal Siberia*, p. 108 ; and trans. in *Jour. Anthr. Inst.* xxxi. 96.

⁷ Jochelson, *Koryak*, p. 735.

first night.¹ Professor Kovalewsky states that among the Ossetes the lack of virginity in a bride is considered a disgrace, not only to the husband, but to all his relatives.² Among the Chuvash the *signum innocentiae* is exhibited *coram populo*.³ Vámbéry says that a fallen girl is unknown among the Central Asiatic Turks.⁴

In Dardistan young people have continued opportunities of meeting each other in the fields or at festive gatherings, and love declarations often take place on these occasions; "but if any evil intention is perceived the seducer of a girl is punished by this savage, but virtuous, race with death."⁵ Among many of the uncivilised tribes in India and Indo-China the standard of female morality is very low indeed;⁶ but this is not true of all of them. Among the Bódo and Dhimáls chastity is prized in man or woman, married and unmarried.⁷ The mountaineers of the Rájmahal Hills allow a young man to show his love for a girl of adult age by sleeping on the same bedstead with her; but "should any indiscretion arise previous to marriage for the young couple sleeping together, they are considered disgraced and are visited with fine."⁸ Among the Santals a youth and a girl are allowed to look at but not to speak to each other. If they do, the youth is taken to the village council and asked if he wants to marry the girl; should he say no, he is beaten and fined, but should he say yes, he is only fined.⁹ The Let-htas, a hill tribe of Burma, are more particular still: until married, the young people of both sexes are domiciled in two long houses at opposite ends of the village, and "when they may have occasion to pass each other, they avert their gaze, so

¹ Klemm, *Allgemeine Cultur-Geschichte der Menschheit*, iv. 26.

² Kovalewsky, *Coutume contemporaine et loi ancienne*, p. 176

³ Vámbéry, *Das Tiirkenvolk*, p. 461.

⁴ *Ibid.* p. 240.

⁵ Leitner, *Results of a Tour in 'Dardistan, &c.'* iii. 35.

⁶ See, e.g., Crooke, *Tribes and Castes of the North-Western Provinces and Oudh*, i. p. clxxxiv.; Gait, *op. cit.* p. 243.

⁷ Hodgson, *Miscellaneous Essays*, i. 123.

⁸ Sherwill, 'Notes upon a Tour through the Rájmahal Hills,' in *Jour. Asiatic Soc. Bengal*, xx. 557.

⁹ Hertel, *Indisch Hjemmemission blandt Santalerne*, p. 83

that they may not see each other's faces."¹ Among the Lisu tribes of the Burma-China frontier there is little sexual intercourse before marriage, and it is considered a great disgrace for a girl to give birth to a child out of wedlock.² The Assam tribes differ greatly with regard to pre-nuptial chastity. The Nagas give both sexes full freedom before marriage;³ indeed, among the Angami Nagas girls consider short hair, the symbol of virginity, a disgrace, and men are desirous to have proof that their future wives will not be barren.⁴ Among the Kacháris, Rábhás, and Hajongs, on the contrary, sexual intercourse before marriage is rare where contact with "civilisation" has not exercised its deteriorating influence; and when it does take place and pregnancy follows, the seducer is not only compelled to marry the girl but must besides pay an enhanced bride price or a fine to the village elders.⁵ Among the Kukis, according to older accounts, a man who seduced a girl had to marry her as soon as her parents heard of it;⁶ but nowadays their customs seem to be less stringent.⁷ The moral standard of unmarried Garo women is, generally speaking, a high one, although the matrimonial bonds are loose.⁸ Among the Kammālans, or artisans, in the Cochin State sexual licence is in no case tolerated; should it occur, the girl and her parents are placed under a ban.⁹ The Ulladans, belonging to the lowest caste among the purely Malayáli Hindu and animistic castes of the same State, likewise prohibit sexual intercourse before marriage; "should an unmarried girl

¹ O'Riley, quoted by Fytche, *Burma*, i. 343.

² Geis, quoted by Rose and Brown, 'Lisu (Yawyin) Tribes,' in *Memoirs Asiatic Soc. Bengal*, iii. 263.

³ Hodson, *Nāga Tribes of Manipur*, pp. 78, 87. Soppitt, *Short Account of the Kuki-Lushai Tribes*, p. 5.

⁴ Prain, 'Angami Nagas,' in *Revue coloniale internationale*, v. 491 sq. ⁵ Endle, *Kacháris*, pp. 3, 30, 31, 85 sq.

⁶ Macrae, 'Account of the Kookies,' in *Asiatick Researches*, vii. 193. Butler, *Travels and Adventures in the Province of Assam*, p. 84.

⁷ Soppitt, *op. cit.* p. 5. Shakespear, *Lushei Kuki Clans*, p. 53.

⁸ Playfair, *Garos*, p. 70.

⁹ Anantha Krishna Iyer, *Cochin Tribes and Castes*, i. 345.

become pregnant and the fact be known, her secret lover is summoned by the tribesmen, who compel him to take her to wife, as otherwise they are placed under a ban."¹ So also among the Vêlans of the Cochin State, the man who has made a girl pregnant must marry her, and very often they are both fined.² The strict morality which characterises the Veddas of Ceylon "extends to unmarried girls, who are protected by their natural guardians with the keenest sense of honour," although it does not extend to widows, however young and pretty.³ Of the wild tribes of the Malay Peninsula Vaughan Stevens says that irregular connections only occur among the Bêlendas who have been most subject to Malay influence.⁴

In the Malay Archipelago intercourse between unmarried people is among many tribes considered neither a crime nor a disgrace;⁵ but there are others who look upon it in a different light and require that the bride shall be a virgin.⁶ In Nias the pregnancy of an unmarried girl is punished with death, inflicted both upon her and upon the seducer.⁷ Among the Hill Dyaks the young men are carefully separated from the girls, licentious connections between the sexes being strictly prohibited;⁸ and the Sibuyaues, a tribe belonging to the Sea Dyaks, though they do not consider the sexual intercourse of their young people a positive crime, yet attach an idea of

¹ *Ibid.* i. 60 sq.

² Thurston, *Castes and Tribes of Southern India*, vii. 348.

³ Nevill, 'Vaeddass of Ceylon,' in *Taprobanian*, i. 178.

⁴ Stevens, 'Mittheilungen aus dem Frauenleben der Orang Bêlendas, der Orang Djâkun und der Orang Lâut, in *Zeitschr. f. Ethnol.* xxviii. 175. See also Martin, *Die Inlandstämme der Malayischen Halbinsel*, p. 874; Knocker, 'Aborigines of Sungei Ujong,' in *Jour. Roy. Anthr. Inst.* xxxvii. 293; Logan, 'Orang Sakimba of the Extremity of the Malay Peninsula,' in *Jour. Indian Archipelago*, i. 297.

⁵ Wilken, 'Plechtigheden en gebruiken bij verlovingsen en huwelijken bij de volken van den Indischen Archipel,' in *Bijdragen tot de taal-, land- en volkenkunde van Nederlandsch-Indië*, ser. v. vol. iv. 434 sqq. Schmidt, *Liebe und Ehe im alten und modernen Indien*, p. 221 sq.

⁶ Wilken, *loc. cit.* p. 446 sqq. Schmidt, *op. cit.* p. 223 sq.

⁷ Wilken, *loc. cit.* p. 444. ⁸ Low, *Sarawak*, pp. 300, 247.

great indecency to irregular connections and are of opinion that an unmarried woman with child must be offensive to the superior powers.¹ Dr. Hagen states that the Kubus of Sumatra expect chastity from their young people and that the free love of which Boers speaks is exceptional, secret, and illegal among them.² According to Chamisso, some of the independent tribes of the Philippines held chastity in great honour, not only in the case of women, but also in the case of young girls, and protected it by severe laws.³ This statement is confirmed by Dr. Hans Meyer⁴ and Professor Blumentritt⁵ with regard to the Igorot of Luzon. Of the Negritos, Mozo wrote in the eighteenth century, "Before marriage a false step is hardly heard of among them."⁶ With reference to those of the interior of Luzon, Garcia states that a girl who became *enceinte* was punished with the greatest severity, even though she at once married the seducer.⁷

In New Guinea the relations between the unmarried vary greatly in different tribes. Among many of them incontinence seems to be very common,⁸ whereas among others the greatest chastity is said to be maintained.⁹ Among the Mekeo people of British New Guinea, in former days, a girl

¹ St. John, *op. cit.* i. 52 sq..

² Hagen, *Die Orang Kubu auf Sumatra*, p. 130 sq. For other natives of Sumatra see Marsden, *History of Sumatra*, p. 261.

³ v. Kotzebue, *Voyage of Discovery*, iii. 66.

⁴ Meyer, 'Die Igorrotes von Luzon,' in *Verhandl. Berliner Gesellsch. Anthr.* 1883, p. 384 sq.

⁵ Blumentritt, *Versuch einer Ethnographie der Philippinen*, p. 27.

⁶ Mozo, *Noticia histórico natural de los gloriosos triumphos por los religiosos del orden de N.P.S. Agustin en las Islas Philipinas*, p. 108.

⁷ Garcia, quoted by Bille, *Beretning om Corvetten Galathea's Reise omkring Jorden*, ii. 181.

⁸ Seligman, *op. cit.* pp. 134 (Koita), 499 (Southern Massim). Malinowski, *loc. cit.* pp. 559, 561, 563 (natives of Mailu). Williamson, *Mafulu Mountain People of British New Guinea*, p. 172. Neuhauss, *op. cit.* i. 160 (natives of Kaiser Wilhelm Land). Krieger, *Neu-Guinea*, p. 395 (natives of the western part of Dutch New Guinea).

⁹ Krieger, *op. cit.* p. 395. Finsch, *Neu-Guinea*, pp. 77, 82, 92, 101. Earl, *Papuans*, p. 81. Bink, in *Bull. Soc. d'Anthr. Paris*, ser. iii. vol. xi. 397.

who became with child before marriage ran the risk of being killed.¹ Among the natives living in the neighbourhood of Geelvink Bay, on the northern coast, a seducer is compelled to marry the girl and can escape from doing so only by leaving the country.² On the Maclay Coast, Miklucho-Maclay found extra-matrimonial intercourse to be exceedingly rare, probably on account of the early marriages.³ Among the Western Islanders of Torres Straits "irregular intercourse with women was invariably spoken of as 'stealing,' as the girls were regarded as the property of their fathers and the wives as the property of their husbands."⁴ In some parts of the Bismarck Archipelago seduction, if proved by witnesses, is severely punished; the girl may even be killed, in which case the man has to pay her value in shell money.⁵ Among good families at Saa in Malanta, of the Solomon Islands, "the virginity of a bride is a matter of much concern to her friends, not only because the boy's friends will not pay what they have promised if her character is questionable, but because they value propriety."⁶ Among some of the New Caledonians unchastity is considered dishonourable, and to call a person a bastard is an insult;⁷ whereas among others "les jeunes filles peuvent disposer de leur corps."⁸ The women of Uea, Loyalty Islands, are described as "strictly chaste before marriage, and faithful wives afterwards";⁹ and in Lifu, belonging to the same

¹ Williamson, 'Some unrecorded Customs of the Mekeo People of British New Guinea,' in *Jour. Roy. Anthr. Inst.* xliii. 278.

² Krieger, *op. cit.* p. 395.

³ Miklucho-Maclay, 'Anthropologische Bemerkungen über die Papuas der Maclay-Küste in Neu-Guinea,' in *Natuurkundig Tijdschrift voor Nederlandsch Indie*, xxxiii. 245. *Idem*, 'Ethnologische Bemerkungen über die Papuas der Maclay-Küste in Neu-Guinea,' *ibid.* xxxv. 89.

⁴ Haddon, in *Reports of the Cambridge Anthropological Expedition to Torres Straits*, v. 275.

⁵ Pfeil, *Studien und Beobachtungen aus der Südsee*, p. 31.

⁶ Codrington, *op. cit.* p. 239.

⁷ Lambert, *Mœurs et superstitions des Néo-Calédoniens*, p. 72 sq.

⁸ Brainne, *La Nouvelle-Calédonie*, p. 251.

⁹ Erskine, *Islands of the Western Pacific*, p. 341. See also Cheyne, *Description of Islands in the Western Pacific Ocean*, p. 25.

group, "a young man meeting or walking alone with and speaking to an unmarried or espoused girl might be clubbed by her father or other guardian."¹ We have previously noticed the chastity which in former days characterised the girls in Fiji.² It may be added that the old women of the bridegroom's family ascertained whether the bride was a virgin; and if the result of their inquiries was unsatisfactory, the feast connected with the clipping of her hair "was made the occasion for putting her friends to shame."³ Among the nobles of the Line Islanders proof of virginity is required on marriage and "it must be conclusive."⁴ In Tonga the nuptial mat was paraded from house to house;⁵ and in Samoa the innocence of the bride is tested in the sight of the whole village by a sort of surgical operation performed by the bridegroom, who then raises his hand to show the blood on his finger.⁶ But Turner remarks that although the virtue of chastity was ostensibly cultivated in Samoa by both sexes, it was more a name than a reality.⁷ There was more laxity of intercourse between boys and girls in Polynesia than in Melanesia.⁸ With reference to the latter, Dr. Codrington observes that although unchastity was not very seriously regarded, "yet it is certain that in these islands generally there was by no means that insensibility in regard to female virtue with which the natives are so commonly charged."⁹ Among the Maori,¹⁰ Marquesas

¹ Ray, 'People and Language of Lifu,' in *Jour. Roy. Anthr. Inst.* xlvii. 280.

² *Supra*, p. 127 sq. See also Erskine, *op. cit.* p. 255; Meinicke, *op. cit.* ii. 45.

³ Thomson, *Fijians*, p. 202.

⁴ Tutuila, in *Jour. Polynesian Soc.* i. 271.

⁵ Thomson, *op. cit.* p. 203.

⁶ Krämer, *Die Samoa-Inseln*, i. 36 sqq. Turner, *Samoa*, p. 95. Wilkes, *Narrative of the United States Exploring Expedition*; ii. 80.

⁷ Turner, *Nineteen Years in Polynesia*, p. 184.

⁸ Cf. Thomson, *op. cit.* p. 234.

⁹ Codrington, *op. cit.* p. 235.

¹⁰ Taylor, *Te Ika a Maui*, p. 33. Polack, *Manners and Customs of the New Zealanders*, i. 145. Shortland, *Traditions and Superstitions of the New Zealanders*, p. 120. Thomson, *Story of New Zealand*, i. 178. Brown, *Maori and Polynesian*, p. 68. Gisborne, *Colony of New Zealand*, p. 27. Tregear, *The Maori Race*, p. 284. Best 'Maori Marriage Customs,' in *Trans. and Proceed. New Zealand Institute* xxxvi. 32, 35.

Islanders,¹ Hawaiians,² Marshall Islanders,³ and Pelew Islanders,⁴ there is said to be, or to have been, the greatest freedom before marriage.

The same can certainly not be said of the Australian aborigines while in their native state. There is extra-matrimonial intercourse among them on certain occasions or in certain circumstances, recognised and regulated by their customs, but this is something very different from irregular unions. For the latter, says Dr. Howitt, the Dieri have special terms, and they are condemned and abhorred by them.⁵ Among the Aranda, or Arunta, in Central Australia, according to Strehlow, if a grown-up youth has sexual intercourse with a grown-up girl or with the wife of another man, they are both speared and their bodies thrown into the fire ; ⁶ and the same is said to be the case among the Loritja.⁷ Of the Maroura tribe, on the Lower Darling, we are told that before the advent of the whites " their laws were strict, especially those regarding young men and young women. It was almost death to a young lad or man who had sexual intercourse till married."⁸ Among various tribes in Western Victoria " illegitimacy is rare, and is looked upon with such abhorrence that the mother is always severely beaten by her relatives, and sometimes put to death and burned. The father of the child is also punished with the greatest severity, and occasionally killed."⁹ Mr. Moore Davis

¹ Porter, *Journal of a Cruise made to the Pacific Ocean*, ii. 59 sq
Tautain, ' Étude sur le mariage chez les Polynésiens (Mao'i) des Iles Marquises,' in *L'Anthropologie*, vi. 645. See also Christian, *Eastern Pacific Lands*, p. 95.

² Jarves, *History of the Hawaiian Islands*, pp. 18, 42.

³ Kohler, ' Das Recht der Marschallinsulaner,' in *Zeitschr. vergl. Rechtswiss.* xiv. 417.

⁴ Kubary, ' Die Palau-Inseln,' in *Jour. d. Museum Godeffroy*, iv. 53.

⁵ Howitt, *Native Tribes of South-East Australia*, p. 187.

⁶ Strehlow, *Die Aranda- und Loritja-Stämme in Zentral-Australien*, vol. iv. pt. i. 93.

⁷ *Ibid.* vol. iv. pt. i. 103.

⁸ Holden, in Taplin, *Folklore of the South Australian Aborigines*, p. 19.

⁹ Dawson, *Australian Aborigines*. p. 28.

writes :—" Promiscuous intercourse between the sexes is not practised by the Aborigines, and their laws on the subject, particularly those of New South Wales, are very strict. When at camp, all the young unmarried men are stationed by themselves at the extreme ends, while the married men, each with his family, occupy the centre. No conversation is allowed between the single men and the girls or the married women. . . . Infractions of these and other laws were visited either by punishment by any aggrieved member of the tribe, or by the delinquent having to purge himself of his crime by standing up protected simply by his shield, or a waddy, while five or six warriors threw, from a comparatively short distance, several spears at him."¹ Among the Euahlayi tribe, says Mrs. Langloh Parker, "unchaste women were punished terribly. After we went west even the death penalty for wantonness was enforced."² Among the North-West-Central Queensland aborigines, on the other hand, women are allowed considerable sexual freedom, unless they happen to be betrothed. Yet "after all, morality in its broadest sense is certainly a recognised virtue." A prostitute, though her frailty is usually due to the death or desertion of her husband, is despised, and has a special name applied to her ; and the man who habitually consorts with such a woman is similarly regarded with contempt, and spoken of under a distinct term.³

Among a large number of African peoples the unmarried are allowed full liberty before marriage, and virginity is neither expected nor found in a bride.⁴ But those

¹ Moore Davis, quoted by Brough Smyth, *Aborigines of Victoria*, ii. 318. See also Fraser, *Aborigines of New South Wales*, p. 27.

² Mrs. Langloh Parker, *Euahlayi Tribe*, p. 59 sq.

³ Roth, *North Queensland Ethnography : Bulletin No. 8. Notes on Government, Morals, and Crime*, p. 7.

⁴ See, e.g., v. François, *Nama und Damara Deutsch-Süd-West-Afrika*, p. 213 (Hottentots) ; Magyar, *Reisen in Süd-Afrika*, p. 285 (Kimbunda) ; Decle, *Three Years in Savage Africa*, pp. 160 (Matabele), 346 sq. (Wanyamwezi) ; Johnston, *British Central Africa*, p. 409 note ; *Idem*, *Uganda Protectorate*, p. 610 (Bairo) ; Roscoe, *Northern Bantu*, pp. 260, 261 (Bateso), 279, 281 (Nilotic Kavirondo) ; Felkin, 'Notes on the For Tribe of Central Africa,'

of them among whom the contrary is the case are also very numerous. Of some Bushman tribes we are told that pre-nuptial intercourse seems hardly to occur,¹ or that the girls generally are virgins when they enter into marriage because most of them marry soon after puberty.² The Kafirs hold chastity in little regard; yet in some of their tribes a girl who has lost her virtue fetches a lower price than a virgin,³ or the father of an unmarried woman who becomes pregnant can demand a fine of one head of cattle from the father of the child,⁴ or the mere seduction of a virgin incurs the fine of three or four head of cattle.⁵ Mr. Cousins wrote to me that between their various feasts the Cis-Natalian Kafirs, both men and women, have to live in strict continence, the penalty for breaking this rule being banishment from the tribe. Casalis mentions a curious custom prevalent among the Basuto which shows that unchastity in a young man is not looked upon with perfect indifference, and is even supposed in certain circumstances to expose him to supernatural danger.⁶ Among the Awemba in Northern Rhodesia chastity is an unknown quantity in young girls over fifteen years of age, but they nevertheless have a very definite code of sex-morality: "all know that

in *Proceed. Roy. Soc. Edinburgh*, xiii. 233; Angus, 'Initiation Ceremony of Girls, as performed in Azimba Land, Central Africa,' in *Verhandl. Berliner Gesellsch. Anthr.* 1898, p. 481; Munzinger, *Ostafrikanisch. Studien*, p. 524 (Barea and Kunama); Clozel and Villamur, *Les coutumes indigènes de la Côte d'Ivoire*, p. 101 (Baoulé); Tessmann, *Die Pangwe*, ii. 253, 254, 258 sq.; Thomas, *Anthropological Report on Ibo-speaking Peoples of Nigeria*, i. 69; Partridge, *Cross River Natives*, p. 254; Torday and Joyce, *Les Bushongo*, pp. 116, 266, 272; *Idem*, 'Notes on the Ethnography of the Ba-Huana,' in *Jour. Anthr. Inst.* xxxvi. 288; Weeks, *Among the Primitive Bakongo*, p. 163; *Idem*, *Among Congo Cannibals*, p. 127 (B. loki); *Idem*, 'Anthropological Notes on the Bangala of the Upper Congo River,' in *Jour. Roy. Anthr. Inst.* xxxix. 442, and xl. 417; Delhaise, *Les Warega*, p. 173.

¹ Kaufmann, 'Die Auin,' in *Mittheil. Deutsch. Schutzgeb.* xxiii. 156.

² Trenk, 'Die Buschleute der Namib,' *ibid.* xxiii. 169.

³ Kropf, *Das Volk der Xosa-Kaffern*, p. 138.

⁴ Warner, in Maclean, *Compendium of Kafir Laws*, p. 64.

⁵ Brownlee, *ibid.* p. 112. ⁶ Casalis, *Basutos*, p. 267 sq.

immorality is wrong, and that it runs counter to the laws of superstitious observances."¹ Among the Herero it is considered a shame to the parents of a girl if she loses her virtue ; hence she is in many cases betrothed already as a child, which compels her as well as her *fiancé* to live chastely.² And according to one of our authorities a seducer is severely punished, nay is even in danger of losing his life.³

Among the natives near Port Herald in British Central Africa, according to Father Torrent, the women are very strict in their habits and it seldom happens that a bride is not a virgin.⁴ Among the Konde people, living to the east of the northern part of Lake Nyasa, sexual intercourse between young people is frequent, because the prevailing polygamy makes it impossible for many a young man to marry ; but if the case becomes known the seducer is compelled to buy the girl from her father, or, if he cannot pay the bride price, is deprived of his spear and has to leave the country.⁵ In Ruanda an adult girl who is known to be unchaste is beaten and can never get a husband, and a bride who is found not to be a virgin is invariably sent away ; and in former days a girl was killed if she became a mother or got with child.⁶ Among the Wapore of Usambara unmarried daughters are strictly guarded, because a false step on their part reduces the price paid for them.⁷ The Baziba, inhabiting a country to the west and south-west of Lake Victoria Nyanza, look upon illegitimate intercourse between the sexes before marriage as the most serious offence known to their laws, although no action is taken until the birth of a child ; " then the man and woman are bound hand and

¹ Gouldsbury and Sheane, *Great Plateau of Northern Rhodesia*, p. 141.

² Bensen, quoted by Kohler, ' Das Recht der Herero,' in *Zeitschr. f. vergl. Rechtswiss.* xiv. 304. Dannert, *Zum Rechte der Herero*, p. 26.

³ Meyer, quoted by Kohler in *Zeitschr. f. vergl. Rechtswiss.* xiv. 304.

⁴ Fülleborn, *Das Deutsche Njassa- und Ruwuma-Gebiet*, p. 552.

⁵ *Ibid.* p. 345. See also v. Behr, ' Die Völker zwischen Rufiji und Rovuma,' in *Mittheil. Deutsch. Schutzgeb.* vi. 79.

⁶ Schumacher, ' Das Eherecht in Ruanda,' in *Anthropos*, vii. 4, 6.

⁷ Baumann, *Usambara*, p. 237.

foot and thrown into Lake Victoria."¹ Among the Bantu Kavirondo death was formerly meted out to young men and girls who were found guilty of fornication.² Among the Bakoki, another tribe in the Uganda Protectorate, the seducer had to pay three cows to the father of the girl and one to the chief, and the girl was driven from home and remained for ever after an outcast.³ Among the Banyankole, "should any woman commit fornication and have a child before marriage, she is disgraced for life. The clan condemns and disowns her as soon as the fact is known."⁴ It is not surprising therefore to hear that "there is generally chastity amongst the young women before marriage."⁵ If a Busoga girl gets a child and the father does not pay the bride price and marries her, she is turned adrift in disgrace by her brother and a medicine-man is called in to kill a goat and cook a meal for the inmates, "thus purifying the house from any taint and propitiating the god of the family."⁶ Of the natives of the Sese Archipelago in the Victoria Nyanza we are told that "if a young woman was seduced, the man was obliged to marry her, and in addition to pay a fine of two goats";⁷ and of the Lendu, that for the seduction of a girl a fine of four cows is payable to her father.⁸ In the Madi or Moru tribe the girls are carefully looked after, "but as marriage usually takes place very early, there is not much cause for them to go wrong. This also applies to the men."⁹ Among the Akikúyu of British East Africa an unmarried girl about to become a mother meets with the gravest disapproval from her parents, and her own companions also disapprove of her conduct. The man, in such circumstances, can either buy the girl, and take the child, or pay ten goats and one sheep, in which case the girl and child remain at home. For any second child born in similar circumstances

¹ Cunningham, *Uganda*, p. 290.

² Johnston, *Uganda Protectorate*, p. 747.

³ Cunningham, *op. cit.* p. 102. ⁴ Roscoe, *Northern Bantu*, p. 121.

⁵ Johnston, *op. cit.* p. 630. ⁶ Roscoe, *op. cit.* p. 233.

⁷ Cunningham, *op. cit.* p. 94 sq. ⁸ *Ibid.* p. 334.

⁹ Feilkin, 'Notes on the Madi or Moru Tribe of Central Africa,' in *Proceed. Roy. Soc. Edinburgh*, xii. 323.

only a small compensation is required, say five goats. "It was very definitely stated that the marriage value of a girl with such a history would be diminished."¹ Among the Wagirama of British East Africa "the sexes are not allowed free sexual intercourse with each other before marriage as in some tribes."² Among the Nandi, "in the event of a warrior causing a girl to conceive, he has to slaughter an ox when the child is born. He may take the head away himself, but the rest of the animal belongs to the girl's father. Except with the Toiyoi clan, the girl is punished by being put in Coventry, none of her girl friends being allowed to speak to or look at her until after the child is born and buried. She is also regarded with contempt for the rest of her life and may never look inside a granary for fear of spoiling the corn."³ Among the Dinka illegitimate children are said to be the result of there being many people who cannot marry on account of their poverty; for each child the father has to pay the penalty of four head of cattle, but the children appertain to the mother's family.⁴ Galla parents inculcate very emphatically the virtue of chastity upon their daughters, and formerly maidens guilty of incontinence were thrown into the Sabaki River and drowned.⁵ Among the Beni Amer the unmarried women are very modest, although the married ones believe that they are allowed everything; and if a girl becomes a mother she and the father and the child are all killed.⁶ The same is the case among the Marea.⁷ Among the Takue a seducer may have to pay the same sum as if he had killed the girl, although the fine is generally reduced to fifty cows.⁸ Among the Beni Mzab a man who

¹ Routledge, *With a Prehistoric People*, p. 126.

² Barrett, 'Notes on the Customs and Beliefs of the Wa-Girama, etc., British East Africa,' in *Jour. Roy. Anthr. Inst.* xli. 21.

³ Hollis, *Nandi*, p. 76.

⁴ Petherick, *Egypt, the Soudan and Central Africa*, p. 393.

⁵ Wakefield, 'Marriage Customs of the Southern Gallas,' in *Folk-Lore*, xviii. 325. See also Paulitschke, *Ethnographie Nordost-Afrikas*, ii. 11.

⁶ Munzinger, *Ostafrikanische Studien*, pp. 322, 326.

⁷ *Ibid.* p. 243.

⁸ *Ibid.* p. 208.

seduces a girl has to pay two hundred francs and is banished for four years.¹ In North-Eastern Africa girls are frequently subject to infibulation in order to remain chaste until they marry. This practice occurs among the Beja, Galla, Somal, Massaua, Sudanese, Southern Nubians, and Darakil, as also in a part of Kordofan and in Sennaar.²

Of the ancient inhabitants of the Canary Islands we are told that a woman who lost her virtue was ostracised and not spoken to for the rest of her life.³ Concerning the Algerian Berbers, Hanoteau and Letourneux write that their customs do not tolerate any sexual relation out of wedlock, and that an illegitimate child is killed together with its mother.⁴ In Morocco a bride who is found not to be a virgin is frequently sent away by the bridegroom, and in some tribes she is killed by her own father or brother.⁵ It is a common though not universal custom there that the garment with the marks of virginity is publicly exhibited—a custom also found in Algeria⁶ and Egypt,⁷ among the Swahili in East Africa,⁸ and among the Yoruba of the Slave Coast.⁹ Among the last-mentioned people, however, virginity in a bride is only of paramount importance when the girl has been betrothed in childhood, an unbetrothed girl being mistress of her own actions.¹⁰ Among most of the Ewhe tribes the absence of the *primitiae* is *ipso facto* a reason for repudiating a bride; the penalty for seduction is marriage and the payment of the head-money which would have been

¹ Chavanne, *Die Sahara*, p. 315.

² Stoll, *Das Geschlechtsleben in der Völkerpsychologie*, p. 548 sqq. Gray, 'Circumcision (Introductory),' in Hastings, *Encyclopædia of Religion and Ethics*, iii. 667, 669.

³ Cook, 'Aborigines of the Canary Islands,' in *American Anthropologist*, N.S. ii. 480.

⁴ Hanoteau and Letourneux, *La Kabylie et les coutumes Kabyles*, ii. 148, 187.

⁵ See Westermarck, *Marriage Ceremonies in Morocco*, ch. vii.

⁶ Villot, *Mœurs, coutumes et institutions des indigènes de l'Algérie*, p. 107.

⁷ Burckhardt, *Arabic Proverbs*, p. 117 sq.

⁸ Velten, *Sitten und Gebräuche der Suaheli*, p. 135.

⁹ Ellis, *Yoruba-speaking Peoples of the Slave Coast*, p. 154.

¹⁰ *Ibid.* pp. 154, 184.

demand, or a heavy fine without marriage, with the alternative of enslavement.¹ On the Gold Coast a similar rule prevails with reference to a bride who is found not to be a virgin; and "if a man betrays a virgin, he is compelled to marry her or to pay the price of her dowry, if the parents will not consent to the marriage."² According to Fanti customary law, "if a man seduce an unmarried woman, he is liable to pay to her family damages for the wrong so done her and the disgrace brought on her family."³ In Sierra Leone a seducer is called on to pay "virgin money."⁴ Among the Ibo-speaking people of the Asaba district in Nigeria "a good deal of value is laid upon the virginity of the bride."⁵ Among the Nigerian Kagoro "there is very little actual connection before marriage even between betrothed couples, and the girdle of string (*ivyān*) worn by girls is a sign of virginity."⁶ Among the people of Loango, according to Proyart, "a youth durst not speak to a girl except in her mother's presence," and "the crime of a maid who has not resisted seduction, would be sufficient to draw down a total ruin on the whole country, were it not expiated by a public avowal made to the king."⁷ Nowadays at least, great pre-nuptial freedom is common among the Congo tribes. Of the natives of the Lower Congo Mr. Weeks states that, in their lodges, "the sexes were allowed to mix as freely as their worst passions prompted"; and when an unmarried woman has a child no fine is paid by its father.

¹ Ellis, *Ewe-speaking Peoples of the Slave Coast*, pp. 156, 157, 201, 202, 206. Klose, *Togo unter deutscher Flagge*, p. 255. Dr. Grade says (in *Aus allen Welttheilen*, xx. 5) that among the Negroes of Togoland a much higher price is paid for a bride who is a virgin than for any other.

² Cruickshank, *Eighteen Years on the Gold Coast*, ii. 195, 196, 212.

³ Sarbah, *Fanti Customary Laws*, p. 48.

⁴ Thomas, *Anthropological Report on Sierra Leone. Part I. Law and Custom of the Timne and other Tribes*, pp. 97, 101.

⁵ *Idem*, *Anthropological Report on Ibo-speaking Peoples of Nigeria*, iv. 65.

⁶ Tremearne, 'Notes on the Kagoro and other Nigerian Head-Hunters,' in *Jour. Roy. Anthr. Inst.* xlii. 169. See also *ibid.* pp. 172, 190.

⁷ Proyart, 'History of Loango,' in Pinkerton, *op. cit.* xvi. 568.

Yet at the same time we are told that such a child, which belongs to the woman's family, is spoken of as a "child of adultery," and that the other children taunt him by saying, "You have no father, you came from a tree."¹ Among various Congo tribes a seducer is fined;² and the Bayaka allow a bridegroom to repudiate the bride if he finds that she is not a virgin.³

The facts stated do not, of course, give us an answer to the question whether among the uncivilised peoples generally pre-nuptial chastity is more often condemned or condoned. Messrs. Hobhouse, Wheeler, and Ginsberg have in a recent book dealt with this problem and come to the conclusion that among the cases examined by them—about 120 in number, probable ones reckoned as a half—those in which pre-nuptial relations are condemned are nearly as numerous as those in which they are condoned, and that consequently "there is no general tendency either way."⁴ Although I prefer giving no figures, partly on account of the indefiniteness of many of the statements, I may say that my own collection of facts convinces me that the standard of savage chastity has at any rate not been overrated by those authors. Considering, moreover, the deteriorating influence which contact with civilisation has in so many cases exercised on the lower races, and the still more important fact that "pre-nuptial chastity" includes all kinds of sexual relations previous to formal marriage, however exclusive and constant they may be—I do not hesitate to affirm that anything like promiscuity among the unmarried is an exception in the customs of unadulterated savages. We have seen that even among peoples who are notorious for their laxity it is a slur upon a girl's reputation frequently to change her lover.

Professor Hobhouse and his collaborators have also

¹ Weeks, *Among the Primitive Bakongo*, pp. 163, 108.

² Torday and Joyce, *Les Bushongo*, p. 110. *Idem*, 'Notes on the Ethnography of the Ba-Yaka,' in *Jour. Anthr. Inst.* xxxvi. 48. Torday, *Camp and Tramp in African Wilds*, p. 203 (Southern Bambala).

³ Torday and Joyce, in *Jour. Anthr. Inst.* xxxvi. 45.

⁴ Hobhouse, Wheeler, and Ginsberg, *Material Culture and Social Institutions of the Simpler Peoples*, p. 167.

examined how far the condemnation or condonation of pre-nuptial chastity is correlated with economic advance. They have found the agricultural and pastoral peoples to be in this respect "decidedly above the hunters."¹ So far as the "lower hunters" are concerned, they mention three cases of condemnation and five of condonation.² All the former and three of the latter refer to Australian tribes; in other words, 50 per cent. of these tribes are said to condemn and the other 50 per cent. to condone pre-nuptial chastity (all cases of "ceremonial" unchastity being excluded). This, however, does not agree with my own facts, according to which aboriginal Australian custom in general is very strict. The two remaining cases of condonation refer to the Punans of Borneo and the Andaman Islanders. Messrs. Hose and McDougall say of the former:—"Sexual restraint is probably maintained at about the same level as among the other peoples, the women being more strictly chaste after than before marriage. . . . A young man will become the lover of a girl generally of some other group than his own, and when she becomes pregnant the marriage is celebrated."³ Among the Andaman Islanders, according to Portman, "there is a freedom of intercourse between the sexes before marriage," but their passions are not gratified to any great extent until after marriage.⁴ We have previously noticed the high standard of pre-nuptial chastity among some Bushman tribes of South Africa, the Veddas of Ceylon, the wild tribes of the Malay Peninsula, the Kubus of Sumatra, and the Negritos of the Philippines. Some of these tribes practise a primitive kind of agriculture, but they all belong to the lowest races now existing. Concerning the Yahgans of Tierra del Fuego Mr. Bridges wrote that lewdness is condemned among them as evil and never indulged in with the consent of parents, but yet very frequent. With reference

¹ *Ibid.* p. 167.

² *Ibid.* pp. 177, 179, 181. In the summary on p. 167 the number of the latter is given as six, but this is not borne out by the details in the Appendix.

³ Hose and McDougall, *Pagan Tribes of Borneo*, ii. 183.

⁴ Portman, *History of Our Relations with the Andamanese*, i. 29, 39.

to the lowest races, the general statement may nevertheless be made that pre-nuptial unchastity among them is neither common nor condoned.

The same cannot be said of the higher hunters. Professor Hobhouse and his collaborators have found among them only three cases of condemnation and thirteen of condonation, nearly all from North America.¹ Some of the latter, however, refer to peoples whose morality is said to have been lowered by contact with white people or of whom earlier travellers have given a more favourable account, and the cases of condemnation might have been increased by the Tlingit, Aht, Nez Percés, and some other Indians. And as the lower hunters, generally speaking, have a stricter standard of pre-nuptial chastity than the higher ones, so also the lowest agricultural stage comes out materially better than the two higher stages (9 cases of condemnation and 2 of condonation against respectively 16 and 27, and 18½ and 15); and the higher agricultural tribes also stand considerably below the pastoral ones (6 cases of condemnation and 3½ of condonation).²

Whatever may be said about the exactness of these figures—the authors themselves would no doubt be the first to admit that their value is only relative—I think it is perfectly obvious at all events that among the “simpler peoples” the standard of pre-nuptial chastity in a tribe is not proportionate to its degree of culture. There is no evidence whatever for the broad statement made by Dr. Hartland, that “at first, and for a long time, mere passing amours are not regarded, or at least . . . not interfered with,” and that only by-and-by “virginity comes to have a special market-value.”³ It seems to me, on the contrary, that in the lowest tribes chastity is more respected than in the higher ones. This is also what might be expected if marriage is the natural and normal relation between the sexes in mankind. Pre-

¹ Hobhouse, Wheeler, and Ginsberg, *op. cit.* pp. 167, 181, 183, 185, 187.

² *Ibid.* p. 167. See also Hobhouse, *Morals in Evolution*, p. 174 n.1.

³ Hartland, *Primitive Paternity*, ii. 93.

nuptial chastity or unchastity largely depends on the age when marriages are contracted. This holds true of savages, as is directly indicated in some of the statements quoted above, and it is true of civilised peoples as well. It has been proved that in the cities of Europe prostitution increases according as the number of marriages decreases;¹ and Engel and others have shown that the fewer marriages are concluded in a year the greater is the ratio of illegitimate births.² At the lower stages of culture celibacy is much rarer and marriage is entered into at an earlier age than among ourselves. But even in savage life there are circumstances which may compel adult persons to live unmarried for a longer or shorter time. A man may be too poor to maintain a wife, or where he has to buy her he may be unable to pay the price, or the polygyny of some may lead to the celibacy of others. These obstacles, however, would occur chiefly where some advancement in culture has been made, and in a much smaller degree under more primitive conditions, where consequently there would be less reason for pre-nuptial unchastity.

The difficulty of procuring a wife, however, is not the only cause of sexual intercourse before marriage. In many cases, as we have seen, the pre-nuptial relation is a kind of trial, which, if successful, leads to marriage. Its object may be to ascertain that the woman will gratify her lover's desire for offspring, and in such a case the marriage is not concluded before the birth of a child or until there are signs of pregnancy. In his notes on the For tribe of Central Africa, for example, Dr. Felkin states that in the Gebel Marah district, where barrenness is common, "the men always make sure of a woman's fertility before marriage."³ But offspring may also be secured in another way, namely, by marrying a woman who has conceived by another man. Among the Angami Nagas, although youthful licentiousness never ends in marriage, men are desirous to have proof in advance that

¹ v. Oettingen, *Moralstatistik*, pp. 199, 216.

² *Ibid.* p. 327.

³ Felkin, 'Notes on the For Tribe of Central Africa,' in *Proceed. Roy. Soc. Edinburgh*, xiii. 207 sq.

their wives will not be barren.¹ The Akamba in British East Africa "have no respect for maidens, and regard a pregnant girl as the most eligible spouse, exactly as if she were a cow in calf."² Of various peoples we are told that a young woman is liked the better and more desired in marriage for having borne a child.³ Among the Mongwandi of the Upper Mongala region a grown woman who has already been a mother costs quite six times the price of a little girl.⁴ Nay, among the Bagas-Foreh, inhabiting the small islands at the mouth of the Rio Nuñez in French Guinea, a young lady cannot hope to find a husband unless she has given birth to two children who are already old enough to walk.⁵ Indeed, a woman who is a mother may be a more acceptable wife, not only because she has proved that she can bear children, but on account of the direct value of the offspring she brings with her.⁶

There may be yet other reasons why a man prefers marrying a girl who is not a virgin. Of the Indians of Quito we are told by Juan and Ulloa that a virgin is never the object of their choice; "for they look on it as a sure sign, that she who has not been known to others, can have nothing pleasing about her."⁷ A similar view is taken by some of the Ewhe in the interior of Togoland, contrary to the regard in which virginity is held by those living on the coast.⁸ Concerning the Kamchadal, Steller says that if a girl was given in marriage as a virgin—which sometimes happened in

¹ Prain, *loc. cit.* p. 491 sq. ² Eliot, *East Africa Protectorate*, p. 125.

³ Delafosse, 'Le peuple Siéna ou Sénoufo,' in *Revue des études ethnographiques et sociologiques*, i. 483. Roscoe, *Northern Bantu*, p. 171 (Bagesu). Buch, 'Die Wotjaken,' in *Acta Soc. Scientiarum Fennicae*, xii. 509. Melnikow, 'Die Burjäten des Irkutskischen Gouvernements,' in *Verhandl. Berliner Gesellsch. Anthr.* 1899, p. 442. Crisp, 'Account of the Inhabitants of the Poggy Islands,' in *Asiatick Researches*, vi. 87 sq.

⁴ Johnston, *George Grenfell and the Congo*, ii. 677.

⁵ Leprince, reviewed in *L'Anthropologie*, xi. 769 sq.

⁶ See Tessmann, *op. cit.* ii. 258 sq. (Pangwe).

⁷ Juan and Ulloa, 'Voyage to South America,' in Pinkerton, *op. cit.* xiv. 521.

⁸ Klose, *op. cit.* p. 255.

former times—the bridegroom was dissatisfied and scolded her mother because she had neglected her education in the art of venery.¹ Speaking of Tibetans, Marco Polo observes that no man among them “would on any consideration take to wife a girl who was a maid ; for they say a wife is nothing worth unless she has been used to consort with men. And,” he adds, “their custom is this, that when travellers come that way, the old women of the place get ready, and take their unmarried daughters or other girls related to them, and go to the strangers who are passing, and make over the young women to whomsoever will accept them ; and the travellers take them accordingly and do their pleasure ; after which the girls are restored to the old women.”² This statement suggests that we have here to do with a defloration rite of the kind which will be discussed in the next chapter : if the girl was considered “worth nothing” as long as she remained a virgin, the reason for it was presumably the idea that defloration was coupled with danger, or that intercourse with a stranger was beneficial, or both ideas combined. Notions of this sort have certainly to be taken into consideration when we examine the causes of pre-nuptial unchastity. They seem, partly at least, to account for the custom which requires girls to earn their dowries by prostitution before they marry.³

That promiscuous pre-nuptial unchastity is a survival of earlier general promiscuity is a legitimate assumption only if we may assume that the causes to which it can be traced have operated on an infinitely larger scale in the past than they do at present. And for such an assumption there is no justification whatever. We have noticed that the obstacles to early marriages are mainly due to advancement in culture. Trial unions cannot be called promiscuous. Nor do superstitious beliefs concerning defloration generally lead to anything like promiscuity. The cases in which the depreciation of virginity is stated to be due to desire for offspring are quite exceptional and cannot possibly be regarded as the

¹ Steller, *Beschreibung von dem Lande Kamtschatka*, p. 346.

² Marco Polo, *Kingdoms and Marvels of the East*, ii. 44.

³ See *infra*, i. 200.

expression of a tendency which was ever general. On the other hand, there is ample evidence of men giving preference to virgin brides, and this preference is probably very ancient. It seems to spring partly from a feeling akin to jealousy towards women who have had previous connections with other men,¹ and partly from an instinctive appreciation of female coyness. Each sex is attracted by the distinctive characteristics of the opposite sex, and coyness is a female quality. Hence conspicuous eagerness in a woman appears to a man unwomanly, repulsive, contemptible; his ideal is the virgin, the libertine he despises. This preference for virginity and female coyness has undoubtedly tended to keep pre-nuptial intercourse, especially of a promiscuous kind, in check, and has at the same time influenced the moral judgment of it.²

One more cause of pre-nuptial unchastity remains to be considered, namely, the taste for variety. This has been much emphasised by Dr. Bloch, who bases on it his chief argument in favour of original promiscuity. It is, he says, "perfectly clear that the human need for sexual variety, which is an established anthropological phenomenon, must in primitive times have been much stronger and more unbridled, in proportion as the whole of life had not hitherto risen above the needs of purely physical requirements. Since even in our time, in a state of the most advanced civilisation, after the development of a sexual morality penetrating and influencing our entire social life, this natural need for variety continues to manifest itself in almost undiminished strength, we can hardly regard it as necessary to prove that in primitive conditions sexual promiscuity was a more original, and, indeed, a more natural, state than marriage. From the purely anthropological standpoint . . . permanent marriage appears a thoroughly artificial institution, which even to-day fails to do justice to the human need for sexual variety."³ That the sexual instinct is stimulated

¹ See *infra*, i. 316 sq.

² See Westermarck, *Origin and Development of the Moral Ideas*, ii. 434 sqq.

³ Bloch, *op. cit.* p. 192.

by a change of its object is an undeniable fact. That this taste for variety is a cause of much extra-matrimonial intercourse of a more or less promiscuous character is also well known. But the assumption that it dominated primitive man to such an extent as to exclude all unions of a greater durability is warranted by nothing that is known either about anthropoid apes or savage men. Indeed, promiscuity was not the only means by which he might have satisfied his "need for sexual variety"; if he got tired of his wife he might take another one. This would seem to have been the more sensible course to choose; for a wife is not only a source of sexual pleasure but a helpmate, a food-provider, a cook, and a mother of children. This is a point of view which Dr. Bloch and some other authors are too apt to overlook when they speak of early marriage.

If, as I maintain, marriage is based on an instinct acquired as a means of preserving the life of the progeny, sexual intercourse must no doubt originally, as a general rule, have been followed by a prolonged union between the parties. But this does not imply that the connection between sexual intercourse and marriage would always have remained equally close. As a social fact and a social institution marriage has been greatly influenced by the progress of civilisation, and extra-matrimonial relations can be easily explained without recourse to the hypothesis that in the beginning all relations between the sexes were promiscuous. When we consider that in our own midst prostitution has shown a tendency to increase in a higher ratio than population,¹ and that in spite of the general infertility of prostitutes there are towns in Europe where the illegitimate births outnumber the legitimate ones,² it is nothing less than absurd to speak of the unchastity of unmarried savages as a relic of an alleged primitive stage of promiscuity.

As a survival of ancient communism in women has also been regarded the fact that courtesans have sometimes been held in greater estimation than married women.³

¹ v. Oettingen, *op. cit.* p. 199.

² *Ibid.* p. 317.

³ Avebury, *Origin of Civilisation*, p. 107. Giraud-Teulon, *Les origines du mariage et de la famille*, p. 43 sqq. Wilutzky, *op. cit.* i 27.

Lord Avebury observes that they were highly respected at Athens, and gives instances in which high rank attached to the "Chief of the Courtesans" in the Indian city of Vesali. Moreover, "in Java we are told that the courtesans are by no means despised, and in some parts of Western Africa the negroes are stated to look on them with respect."¹ Such feelings, Lord Avebury argues, would naturally arise when the courtesans were originally fellow-countrywomen or relations, and the special wives were captives and slaves; and they would long survive the circumstances from which they sprang.² The courtesans are thus regarded as representatives of the communal wives of primitive times. This conclusion is particularly startling when we consider the state of culture of the chief peoples concerned. McLennan justly remarks, with reference to those "communal wives," that "if any inference is to be made from their standing in Athens, in the brilliant age of Pericles, as to the state of matters in the primitive groups, proof of primitive communism in women might as well be sought in London or Paris in our own day. Far back in the interval between savagery and the age of Pericles are the heroes of Homer, with their noble wedded wives."³ If courtesans were respected and sought after even by the principal men in Athens, the simple reason was that they were the only educated women there. In India prostitutes are attached to temples, and, according to Dubois, are the only females who may learn to read, to sing, and to dance;⁴ and it is said to be the custom for the Hindus in large towns to frequent the society of courtesans for the charm of their witty and pointed conversation.⁵

¹ Avebury, *op. cit.* p. 438 sq.

² *Ibid.* p. 107.

³ McLennan, *Studies in Ancient History*, p. 343.

⁴ Dubois, *Description of the Character, Manners, and Customs of the People of India*, p. 295.

⁵ Russell, *Tribes and Castes of the Central Provinces of India*, iii 379.

CHAPTER V

A CRITICISM OF THE HYPOTHESIS OF PROMISCUITY : THE *Jus Primae Noctis*

THE hypothesis of promiscuity or "communal marriage" is supposed to derive much support from certain customs which are interpreted as acts of expiation for individual marriage. In many cases, we are told, the exclusive possession of a wife could only be legally acquired by a temporary recognition of the pre-existing communal rights. As a recognition of this kind is regarded the *jus primae noctis* accorded to a priest, king, chief, or nobleman, who is then looked upon as a representative of the community after the ancient right was taken away from its male members in general.¹

Among some of the Brazilian Indians the *jus primae noctis* is said to be granted to the medicine-man² or to the

¹ Bachofen, *Das Mutterrecht*, pp. 12, 13, 17, 18, &c. Avebury, *Origin of Civilisation*, p. 437 sq. Giraud-Teulon, *Les origines du mariage et de la famille*, pp. 32, &c. Kulischer, 'Die communale "Zeitehe" und ihre Ueberreste,' in *Archiv f. Anthropol.* xi. 223. Post, *Die Geschlechts-genossenschaft der Urzeit*, p. 37. Wilken, 'Over de primitieve vormen van het huwelijk en den oorsprong van het gezin,' in *De Indische Gids*, 1880, vol. ii. 1196. Liebrecht, *Zur Volkskunde*, p. 423 sq. Wilutzky, *Vorgeschichte des Rechts*, i. 34 sqq. Bloch, *Sexual Life of Our Time*, p. 190. See Schmidt, 'Das Streit über das *jus primae noctis*,' in *Zeitschr. f. Ethnol.* xvi. 44 sq.

² v. Martius, *Beiträge zur Ethnographie Amerika's*, i. 113 (Juris, Passés).

chief.¹ Oviedo y Valdés states that among the Arawaks and some peoples in the province of Paria a virgin bride had to spend the first night with a *piache*, or priest.² In Cumana, in the present Venezuela, legitimate wives, but not concubines, were deflowered by the priests, and it was considered a great crime not to conform to this custom.³ So also the Caribs of Cuba strictly prohibited a bridegroom from lying with the bride during the first night of their marriage. If it was a cacique that married, he invited other chiefs to lie with his bride, and if the bridegroom was a man of somewhat lower rank he invited his equals; but people of the lowest class "borrowed on this occasion the charitable cares of their caciques and of their priests."⁴ In Guatemala it was customary for the high-priest to spend the first night with the bride.⁵ Among the Nicaraguans, according to Andagoya, "a man whom they held as a pope, and who lived in a temple, had to sleep with the bride on the previous night";⁶ whilst according to Gomara, many virgins were given to the caciques to be deflowered.⁷ Castañeda de Nacera wrote in the middle of the sixteenth century that among the Tachus in the province of Culiacan, in the New Kingdom of Galicia (210 leagues west of Mexico), it was the custom for the husbands to buy the women whom they married of their fathers and relatives at a high price, and then to take them to a chief who was considered to be a priest, to deflower

¹ v. Spix and v. Martius, *Reise in Brasilien*, iii. 1182 (Jumanas), 1189 (Culinos).

² Oviedo y Valdés, *Historia general y natural de las Indias*, book xxiv. ch. 3, pt. ii. vol. i. 222.

³ Gomara, 'Primera parte de la historia general de las Indias,' in *Biblioteca de autores españoles*, xxii. 206. Coreal, *Voyages aux Indes Occidentales*, i. 139 sq. Herrera, *General History of the West Indies*, iii. 310. Simon, *Primera parte de las Noticias historiales de las Conquistas de tierra firme en las Indias Occidentales*, iv. 26. 3, p. 320.

⁴ Coreal, *op. cit.* i. 10 sq. Carli, *Le lettere americane*, i. 71.

⁵ Herrera, *op. cit.* iii. 341.

⁶ Andagoya, *Narrative of the Proceedings of Pedrarias Davila in the Province of Tierra Firme*, p. 33 sq. (the early part of the sixteenth century).

⁷ Gomara, *loc. cit.* p. 283.

them and see if they were virgins.¹ Among the Tarahumare in modern Mexico, according to Lumholtz, "the shamans avail themselves of *jus primae noctis*."² Among the Kinipetu Eskimo near Hudson's Bay the same right is said to belong to the *ankut*, or priest.³

Among the Ballante of Senegal the king has not only the power of life and death over his subjects, but also *le droit du seigneur* everywhere in the tribe, and no girl can marry before she has been deflowered by him.⁴ The same right is said to have belonged to the chief of the Bagele in Adamawa, a native kingdom in Northern Nigeria and Kamerun,⁵ and, in the days of Herodotus, to the king of the Adyrmachidae, a Libyan tribe reckoned to Egypt.⁶ Of some of the ancient inhabitants of the Canary Islands we are told that their chiefs had the maidenheads of all virgins that married;⁷ or, that "the night before the bride was presented to her husband, she was delivered to the Guanarteme (or king), who, if he did not chuse to lie with her himself, gave her to the Faycag (a priest or lawyer next in dignity to the king), or to some other noble person of his intimate acquaintance, to enjoy her."⁸ In 1632, however, Abreu de Galindo wrote that the natives denied that such a custom ever existed among their ancestors.⁹ But there are rumours of the existence of something similar among certain modern Berbers.

Two Berbers from the tribe Ath Ubâhthi in the eastern part of Morocco, near Ujda, told me that among their neighbours, the Ath Zîhri (Zkâra), it is the custom for the chief of

¹ Castañeda de Nájera, 'Relacion de la Jornada de Cibola,' in *Ann. Rep. Bur. Ethn.* xiv. pt. i. 448, 513 sq.

² Lumholtz, *Unknown Mexico*, i. 270.

³ Klutschak, *Als Eskimo unter den Eskimos*, p. 234.

⁴ Marche, *Trois voyages dans l'Afrique Occidentale*, p. 70.

⁵ Barth, *Reisen in Nord- und Central-Afrika*, ii. 571 n.*

⁶ Herodotus, iv. 168.

⁷ Alvise Cadamosto, 'Delle navigationi,' in Ramusio, *Navigazioni et viaggi*, i. 106. Barros, *L'Asia*, i. 12, vol. i. 24. Faria y Sousa, *Asia Portuguesa*, i. i. 12, vol. i. 14. Walckenaer, *Histoire générale des voyages*, i. 76.

⁸ Abreu de Galindo, *History of the Discovery and Conquest of the Canary Islands*, p. 69.

⁹ *Ibid* p. 69

the village to be secretly sent for by the bridegroom's family to have intercourse with the bride the first night, unless she be a widow or a divorced wife. They said that this is well known to all the neighbouring tribes, though denied by the Ath Ẓf̣hri themselves. This statement agrees with the information obtained by M. Mouliéras, although, according to him, the person who is said to perform the act belongs to the caste of the *rusma*, or spiritual leaders of the tribe.¹ It is impossible for me to decide whether there is any truth or not in these accounts, but they may perhaps derive some support from certain curious customs among other Berbers in Morocco,² as also from some statements relating to the Beni Ulid, an Arab-speaking mountain tribe in the neighbourhood of Fez. An old man from the Ḥiáina, another tribe near Fez, told me that formerly it was the custom among them that on the evening of the day when the bride arrived at her new home the bridegroom, accompanied by members of his family and women, went to a neighbouring village to fetch from there a man to spend the first night with the bride and have intercourse with her. When they fetched him the women sang, "Rejoice O lady and continue to rejoice, and the perforator has come to you from the Beni Ulid." According to another account given me by two Berbers from other tribes in the same part of Morocco, it was the custom among the Beni Ulid that, if the bridegroom was not strong enough to deprive the bride of her virginity, he asked his best-man to inform his father about it and tell him to send for some man who was reputed for his virility. A messenger on horseback was despatched to fetch such a man, who was then received by the women singing a ditty similar to the one already mentioned. He was paid for his service. But the accuracy of these statements, too, is doubtful, coming as they do from neighbours, who are not always trustworthy informants.³

Among the Tachtadshys in Lycia there are tribes in

¹ Mouliéras, *Une tribu Zénète anti-musulmane au Maroc (les Zhara)*, p. 85 sqq.

² See Westermarck, *Marriage Ceremonies in Morocco*, p. 273.

³ *Ibid.* p. 271 sq.

which the religious head, called *dede*, possesses the *jus primae noctis*, even though he does not regularly exercise it, and other tribes in which he is entitled to choose any woman he likes at the yearly religious assemblies.¹ The Duśik-Kurds in the Dersim mountains south of Erzingân have every year a great feast, when the men and the married women assemble in a large room and have promiscuous intercourse. After the congregation have kissed the *chodsha*, or priest, on the hand, he cries out, "I am the great bull, not a fattened ox!" The latest married among the women, by preference one who has had her wedding on the same day, steps forward to him and says, "I am the young cow!" When she says this, the lights are extinguished and the orgies begin.² Among the Zikrîs, an heretical Muhammadan sect in Baluchistan, the Mulla has the *jus primae noctis*, although this right can be redeemed by a small money payment to him.³

In the old kingdom of Cambodia, according to a Chinese account from the end of the thirteenth century, parents chose Buddhist or Taouist priests to deprive their daughters of their virginity before their marriage. This ceremony, which was called *chin-than*, was performed on a certain day once a year, which was fixed by the magistrate of the place. Each priest was allowed to deflower one girl only every year, and he was handsomely rewarded for his service. Owing to the difficulty of procuring the necessary gifts, poor girls might have to wait till their eleventh year before they could marry, whereas rich girls generally married at the age of seven to nine. But there were people who supplied poor parents with the money required for the defloration of their daughters, and this was looked upon as a meritorious deed.⁴ M. Aymonier maintains that this account is too strange to

¹ Petersen and Luschan, *Reisen in Lykien, Milyas und Kibyratiss*, p. 199 n. 1.

² Blau, 'Nachrichten über kurdische Stämme,' in *Zeitschr. Deutsch. Morgenländ. Gesellsch.* xvi. 623 sq.

³ Hughes-Buller, *Census of India*, 1901, vol. v. (Baluchistan) Report, p. 45.

⁴ Rémusat, *Nouveaux mélanges asiatiques*, i. 116 sq.

deserve credit ;¹ but the existence of very similar customs among other Asiatic peoples spoils his argument.

On the coast of Malabar, Brahmans have for a long time acted as deflowerers of brides. Barthema wrote in the beginning of the sixteenth century that when the king of Calicut takes a wife he selects the most worthy and the most honoured of the Brahmans and makes him sleep the first night with his wife in order that he may deflower her. But, he says, "do not imagine that the Brahman goes willingly to perform this operation ; the king is even obliged to pay him four hundred or five hundred ducats." Barthema adds that the king only, and no other person in Calicut, adopts this practice ;² but other travellers give us different information. Hamilton, who lived in the East Indies in the latter part of the seventeenth and the earlier part of the eighteenth century, writes :—"When the Samorin marries, he must not cohabit with his bride till the Nambourie or chief priest has enjoyed her, and, if he pleases, may have three nights of her company, because the first fruits of her nuptials must be an holy oblation to the god she worships : and some of the nobles are so complaisant as to allow the clergy the same tribute ; but the common people cannot have that compliment paid to them, but are forced to supply the priests' places themselves."³ Admiral Verhoeven, who visited Calicut in 1608, also states that the brides of lords and noblemen, but not of commoners, were often deflowered by Brahmans ;⁴ whilst Sir Thomas Herbert, who sailed for the East Indies in 1626, says that it was formerly the custom among the Nayars that a Brahman had the first night's company with the bride, but that this practice had been wholly abrogated.⁵ On the other

¹ Aymonier, *Le Cambodge*, iii. 625.

² de Barthema, *Itinerario nello Egipte, &c.* fol. li.a. *Travels of Ludovico di Varthema*, p. 140.

³ Hamilton, 'New Account of the East Indies,' in Pinkerton, *Collection of Voyages*, viii. 374.

⁴ Verhoeven, *Kurtze Beschreibung einer Reyse in die Ost Indien*, p. 56.

⁵ Herbert, *Travels into Divers parts of Africa, and Asia the Great*, p. 337.

hand, we are told by Mandelsloe, who stayed there a few years later (1638-1639), that the Brahmans of Malabar were held in such veneration that they had the first fruits of all the brides, and that the richer people invited them to perform this task with very considerable presents.¹ According to Roggewein, the Brahmans had introduced into Cochin the custom that when any man married he was absolutely forbidden to sleep with his wife the first night, and that this function was to be performed in his stead by one of the Brahmans or, if there were none, by some other man.² And various other writers state in a general way that among the inhabitants of Cochin or Malabar it was the custom for Brahmans to deflower the brides.³ But in several accounts of extra-matrimonial defloration of brides in Malabar no mention at all is made of Brahmans.⁴ Lopez de Castanheda states of the sisters of the Samorin and other kings of Malabar that when any of them reaches the age of ten their kindred send for a young man of the Nayar, or military, caste out of the kingdom, and give him presents to induce him to deprive the young virgin of her maidenhood;⁵ and in another early Portuguese account it is said that when a Nayar woman has two or three young daughters she, for the same purpose, chooses a Nayar for each of them.⁶ According to Navarette's

¹ 'Remarks and Observations made by J. A. de Mandelsloe, in his Passage through several Countries of the Indies,' in Harris, *Navigantium atque Itinerantium Bibliotheca*, i. 767.

² Roggewein, 'Account of Commodore Roggewein's Expedition for the Discovery of Southern Lands,' in Harris, *op. cit.* i. 297.

³ Balbi, *Viaggio dell' Indie Orientali*, foll. 75b, 137a. Schouten, *Ost-Indische Reyse*, p. 168. Sonnerat, *Voyage aux Indes Orientales*, i. 68. Guyon, *New History of the East-Indies*, i. 431. de Gubernatis, *Memoria intorno ai viaggiatori italiani nelle Indie Orientali dal secolo XIII a tutto il XVI*, p. 137. See also Gaya, *Ceremonies nuptiales de toutes les nations*, p. 56 sq.

⁴ See *infra*, i. 184 sqq.

⁵ Lopez de Castanheda, *Historia do descobrimento e conquista da India pelos Portugueses*, i. 45.

⁶ 'Sommario di tutti li regni, città, & popoli orientali,' in Ramusio, *op. cit.* i. (1563) 331 D.

description, from the latter part of the seventeenth century, persons who were acquainted with the coast of Malabar said "that when some Persons marry'd, the Husband carry'd his Wife before he had to do with her himself, to the King, who kept her eight Days in his Palace, making use of her at his pleasure; and that time being expir'd, the Man came for his Wife, taking it as a great Honour and Favour that his King would make use of her. In other places they carry them to the Temples of the Idolatrous Priests, and left them there the same number of Days to the same purpose."¹ Admiral Jakob van Neck states that when one of the great lords of Goa married, it was the custom for him to take his bride to the sovereign and ask him to sleep with her for the first three nights.²

The Bhutanese, in the eastern part of the Himalayas, according to Mr. Claude White, "follow certain curious customs, such as the right of the head man when girls marry"; but, he adds, "this is being put a stop to by the present Tongsa."³ The ruin of the ancient city of Harappa, in the Punjab, is ascribed by the people to the vengeance of God on its governor, "who claimed certain privileges on the marriage of every couple in his city, and in the course of his sensualities, was guilty of incest."⁴ In his book on the tribes of the Hindu-Kush, Major Biddulph wrote in 1880 with reference to the people of Hunza, who have only the laxest form of Muhammadanism, "The *droit du seigneur* was exercised by the father of the present ruler, and though the custom has been allowed to fall into disuse, it is evident from the accounts given of weekly orgies held by Ghazan Khan that the right is only held in abeyance and not formally renounced."⁵ From ancient Arabia we have the story of king 'Amlîq of Tasm, who compelled the subject

¹ Navarette, 'Account of the Empire of China,' in Churchill, *Collection of Voyages and Travels*, i. 320.

² van Neck, quoted by Schmidt, *Jus primæ noctis*, p. 312.

³ White, *Sikkim and Bhutan*, p. 13.

⁴ Burnes, *Travels into Bokhara*, iii. 137.

⁵ Biddulph, *Tribes of the Hindoo Koosh*, p. 77.

tribe of Djadis to take to him every bride before she had connection with her husband.¹ And according to another story, the last king of Saba, by name Sharahbil, allowed no girl in his country to marry without being deflowered by him.²

It has been a widespread popular belief that a *droit du seigneur* existed in feudal times in Europe, and it is said that in some places a similar right was accorded to the clergy.³ The existence of such rights has also been reported by historians. Thus old writers on the history of Scotland tell us that King Evenus III., contemporary with Augustus, made a law by which he and his successors in the throne were authorised to lie with every bride, if a woman of quality, before her husband could approach her; and in consequence of this law the great men of the nation had a power of the same kind over the brides of their vassals and servants. The law was strictly observed throughout the kingdom, and was only discontinued or repealed more than ten whole centuries afterwards, when the importunities of St. Margaret prevailed with her husband, Malcolm Cammor (or Canmore), to abolish this unjustifiable custom. From that time forward, the vassal or servant was allowed to redeem the first night of his bride by paying a tax in money, which was called *mercheta mulierum*.—The story was first told by Boece, or Boethius,⁴ and subsequently repeated by other historians.⁵ It was also referred to by an Italian writer living at the beginning of the seventeenth century, Bonifacio Vannozi, who asserted that a similar custom

¹ Abulfeda, *Historia anteislamica*, p. 182 sq. Rasmussen, *Historia præcipuorum Arabum regnorum*, p. 81 sq. Caussin de Perceval, *Essai sur l'histoire des Arabes*, i. 28 sq. See also Wellhausen, 'Die Ehe bei den Arabern,' in *Nachrichten d. Königl. Gesellsch. d. Wissensch. zu Göttingen*, 1893, p. 464.

² Weil, *Biblische Legenden der Muselmänner*, p. 253.

³ Schmidt, *Jus primæ noctis*, p. 43 sqq.

⁴ Boethius, *Scotorum historiae a prima gentis origine*, book iii. fol. 34 b sq.

⁵ Leslie, *De origine moribus, et rebus gestis Scotorum*, p. 96. Buchanan, *Rerum Scoticarum historia*, foll. 31 b, 64 a. Mackenzie, *Lives and Characters of the most Eminent Writers of the Scots Nation*, i. 132.

formerly existed in Piedmont, and that a cardinal of the house of Rovere had told him how he himself had burned a charter conveying to his house the privilege of deflowering the brides whom their vassals married. This story afterwards obtained currency through Bayle, who retold it in his great Dictionary.¹ In Russia landlords were said to claim this right as late as in the nineteenth century.²

On the other hand, the existence of a *droit du seigneur* in any form in Europe has been eagerly disputed.³ In the middle of the eighteenth century this was done by Grupen, who reviewed the materials then available, beginning with Lactantius' statement⁴ that the Emperor Maximinus did not allow any marriage to take place without his consent so that he should be able to be the *praegustator* at the wedding.⁵ A century later Veuillot tried to explain away the chief evidence on which the popular view of the subject was based;⁶ and subsequently Dr. Karl Schmidt in a very learned work, after a penetrating discussion of the whole question, arrived at the conclusion that the belief in the *droit du seigneur* was nothing but "ein gelehrter Aberglaube." The law, he says, which is believed to have extended over a large part of Europe, has left no evidence of its existence in law-books, charters, decretals, trials, or glossaries.⁷ In the latter part of the eighteenth century the Scotch story connected with the mythical King Evenus III. was denounced as unhistorical by Macpherson⁸ and Lord Hailes.⁹ And of

¹ Bayle, *Dictionnaire historique et critique*, xiii. 335, 'Sixte IV.'

² Schmidt, *op. cit.* p. 221.

³ For opinions in favour of and against the existence of such a right see Schmidt, *op. cit.* p. 1 *sqq.*; -*Idem*, 'Das Streit über das jus primae noctis,' in *Zeitschr. f. Ethnol.* xvi. 19 *sqq.*

⁴ Lactantius, *De mortibus persecutorum*, 38 (Migne, *Patrologiae cursus*, vii. 255).

⁵ Grupen, *De uxore theotisca*, p. 1 *sqq.*

⁶ Veuillot, *Le droit du seigneur au moyen âge*, *passim*.

⁷ Schmidt, *Jus primae noctis*, pp. 379, &c.

⁸ Macpherson, *Critical Dissertations on the Origin, &c. of the Antient Caledonians*, p. 175 *sqq.*

⁹ Lord Hailes (Sir David Dalrymple), *Annals of Scotland*, vol. iii. Appendix I., 'Of the Law of Evenus, and the *Mercheta mulierum*,' p. 1 *sqq.*

the alleged *droit du seigneur* in Russia Alexander Herzen wrote that no such right ever existed there, and that if the law were put in execution it would punish with the same severity the violation of a female serf as that of a free woman. Yet he admits that it was an easy matter for a landlord to outrage the daughters and wives of his serfs with impunity.¹

The belief in a mediæval *jus primæ noctis* has been traced to two main sources. One is the so-called *marchet* or *merchet*, a fine paid by a vassal to his lord on the marriage of his, the tenant's, daughter, which has been misinterpreted as a pecuniary commutation for a former right claimed by a feudal lord of sleeping with his vassal's daughter on their wedding night. Lord Hailes gave the following explanation of this fine, as existing in old Scots law :—"Persons of low rank, residing on an estate, were generally either *ascripti glebae*, or were subjected to some species of servitude similar to that of the *ascripti glebae*. On that estate they were bound to reside, and to perform certain services to the lord. As women necessarily followed the residence of their husbands, the consequence was, that when a woman of that rank married a stranger, the lord was deprived of that part of his *live stock*. He would not submit to this loss, without requiring indemnification; at first, the sum paid by the father of the young woman would nearly amount to an

¹ Herzen, *Le peuple russe et le socialisme. Lettre à M. J. Michelet*, p. 38. I have to thank Mr. S. Rapoport for referring me to this pamphlet.—How Russian landlords might behave before the emancipation of the serfs is shown in an article named *Записки сельского священника* ('Notes of a Country Clergyman') in *Русская Старина* ('Russian Antiquity,' xxvii. 63, 77), where it is said of one of them : "Often N. I.—tsh would stroll late in the evening about his village to admire the prosperous condition of his peasants; he would stop at some cottage, look in at the window, and tap on the pane with his finger. This tapping was well known to everybody, and in a moment the best-looking woman of the family went out to him." Another landlord, whenever he visited his estate, demanded from the manager, immediately after his arrival, a list of all the grown-up girls. "Then," the author continues, "the master took to his service each of the girls for three or four days, and as soon as the list was finished, he went off to another village. This occurred regularly every year."

estimated indemnification; and as the *villains* were grievously under the power of their lord, it would be often exorbitant and oppressive. In process of time, the lord would discover, that as the young women of his estate were exported, the young men of his estate would import others; so that, upon the whole, no great prejudice could arise from *extra-territorial marriages*. Hence the indemnification would be converted into a small pecuniary composition, acknowledging the old usage, and the right of the master. As the intrinsic and marketable value of money decreased, this stated composition would be gradually omitted out of terriers and rent-rolls, or would be thrown into the aggregate sum of rent."¹ As to the *merchet* in English law a similar suggestion has been made by Maitland, namely, that the idea at the root of it was "much rather that of preserving the live stock on the manor than that of a *jus primae noctis*." He points out that the *merchet* was often higher for marriage out of the manor than for marriage within the manor; that fines for marrying sons out of the manor were not unknown; and that "the *merchet* is often mentioned in close connection with a prohibition against giving sons a clerical education—an education which would enable them to take orders and so escape from bondage."²

As another proof of the existence of a *jus primae noctis* has been regarded the fee which a husband had to pay to his bishop or other ecclesiastical authority for the privilege of sleeping with his wife on the first night or nights of their marriage. Thus we are told that Philip VI. and Charles VI. in the fourteenth century made vain efforts to induce the Bishops of Amiens to give up the old custom of demanding from every newly married couple in their town and diocese a considerable fine for granting them permission to have conjugal intercourse during the first three nights of their marriage.³ But it is perfectly obvious that the fee was meant,

¹ Lord Hailes, *op. cit.* iii. 12 sq.

² Maitland, in a letter quoted by Frazer, *Folk-Lore in the Old Testament*, i. 487 sq.

³ Sugenheim, *Geschichte der Aufhebung der Leibeigenschaft und Hörigkeit in Europa*, p. 104.

not as compensation for the relinquishment of a right accorded to the ecclesiastical authority, but as payment for a dispensation. The Catholic Church had prescribed that newly married couples should observe chastity on their wedding night or, with special reference to the example set by Tobias and Sarah, even during the first three nights ;¹ and in time the clergy found it expedient to mitigate the rigour of the canon and to grant husbands the right of lying with their own wives on the first night of marriage, provided that they paid a moderate fee for the privilege. "This," says Sir James G. Frazer, "was the true *jus primae noctis*, a right accorded, not to a licentious feudal superior, but to a woman's lawful husband."²

Yet even though the fine or fee paid to the feudal lord or the ecclesiastical authority has been grossly misinterpreted, there must have been some reason for the misinterpretation. It is not easy to see how the idea of a *jus primae noctis* could have entered the heads of the people if there had not been some tradition of such a right ; travellers' tales from distant parts of the world could hardly account for an idea of this sort. Dr. Pfannenschmid has pointed out that the belief

¹ See *infra*, on Marriage Rites.

² Frazer, *op. cit.* i. 501. In the middle of the eighteenth century the Dutch historian van Loon suggested that the *merchet* had a similar origin. He writes (*Beschryving der aloude Regeeringwyze van Holland*, iii. 165 *sqq.*) :—"In the fourth council of Carthage, held in the year 398, it was ordained that all new-married persons, out of respect for the sacerdotal benediction, *eadem nocte in virginitate permanerent*. This species of continence was not only enforced by the general constitutions of the Kings of the Franks, but also prolonged for three nights, after the example of Tobias. . . . Nevertheless, when, about the beginning of the twelfth century, the office of judges in the tribunal of a hundred (*centenae*) had become hereditary, instead of elective, as in the days of the Kings of the Franks, and when in the following century, the jurisdiction of the Counts (*Graven*) became feudal, the ancient constitutions of these Kings, touching the abstinence for three nights, &c., were neglected by the new Lords of the country ; and, if they were not totally abolished, at least the redemption of this inconvenient custom was permitted ; just as in Brabant at this day persons newly betrothed are permitted to purchase an exemption from their bans thrice proclaimed."

in the seignorial privilege has been found especially in districts and places which have been inhabited for long by a celtic or partly pro-celtic population, and thinks that it hints at an ancient right, even though a *jus primae noctis* in the traditional sense of the term has not existed in the Middle Ages.¹ In support of this suggestion I wish to draw attention not only to the legendary statements of old Scottish historians but, in particular, to ancient Irish documents. In the description of the battle of Gabhra, fought A.D. 283, we read that Cairbre, the son of Art, had a fair, mild-eyed, and modest daughter, whom the son of the king or lord of the Decies came to seek as his wife. But when Fionn and the Fenians of Ireland heard of this, they dispatched messengers to Cairbre to remind him to pay the tribute consisting of twenty ounces of gold or the right of cohabiting with the princess the night previous to her marriage.² In the old Irish manuscript 'The Book of Leinster,' which was compiled in part about the middle of the twelfth century, it is said that great honour was bestowed on Conchobar, King of Ulster, who lived at the time when Christ was born; for every man who had a marriageable daughter let her sleep the first night with him.³ In another manuscript, 'Leabhar na h-Uidhri,' which contains a collection of pieces in the Irish language compiled about A.D. 1100, it is likewise stated that the same king deflowered all the virgins of Ulster; and it is indicated that the defloration of maidens even was a duty incumbent upon him.⁴ This suggests that we have here to do, not with a mere privilege exacted by a ruler, but with a custom rooted in some popular idea similar to those found in other parts of

¹ Pfannenschmid, 'Jus primae noctis,' in *Das Ausland*, lvi. 150.

² O'Kearney, *Battle of Gabhra*, pp. 135, 137.

³ *Book of Leinster*, p. 106, col. 2; cf. Atkinson's Introduction, p. 27. A translation is given by Schmidt, in *Zeitschr. f. Ethnol.* xvi. 50. See also d'Arbois de Jubainville, 'Le droit du roi dans l'épopée irlandaise,' in *Revue archéologique*, xlii. 332; *Idem*, *L'épopée celtique en Irlande*, i. 7, 29 n. 1.

⁴ *Leabhar na h-Uidhri*, p. 127, col. 1. See Schmidt, in *Zeitschr. f. Ethnol.* xvi. 50; d'Arbois de Jubainville, in *Revue archéologique*, xlii. 333 sq.

the world in connection with the defloration of brides or maidens.

A very recent instance of the *jus primae noctis* in Europe is reported from Albania. Mr. Brailsford wrote in 1903:—
 "For a certain sum paid annually, an Albanian chief will undertake to protect a tributary village, or if the village is outside the Albanian sphere of influence, it is generally obliged to have its own resident brigands, who may or may not be Albanians. If the village belongs to a Turkish landlord, these men are generally chosen from among his retainers. They are known under the name of *bekchi*, or rural guards. . . . The rural guard exacts a substantial ransom in cash for his services. He levies certain traditional dues, e.g., blackmail upon every maid who marries. The sum varies with the ability of her father and her husband to pay, and in default of payment, the *bekchi* will exercise the *jus primae noctis*."¹

We shall now consider how the facts stated may be explained. Before we are entitled to assume that the *jus primae noctis* accorded to a priest or a headman is a survival of ancient communal rights we must investigate whether it may be accounted for by feelings or ideas existing among peoples who recognise such a right or are addicted to practices of a kindred nature. This is the method which should be adopted in the study of any custom, and is particularly called for in a case like the present one where a custom is used as evidence for the existence of a previous state which is itself entirely hypothetical.

The first fact that attracts our attention is a frequent reluctance on the part of the bridegroom to deflower the bride, or to do so in the manner indicated by nature. Dr. Rivet writes of the Jíbaros in Ecuador, "Suivant certains informateurs indiens, le fiancé ouvrirait le vagin de sa femme à l'aide d'os préparés pour cet usage, de façon à la rendre apte au coït."² Among the natives at Alice Springs in Central Australia the husband sometimes performs the

¹ Brailsford, 'The Macedonian Revolt,' in *Fortnightly Review*, N.S. lxxiv. 431 sq.

² Rivet, 'Les Indiens Jíbaros,' in *L'Anthropologie*, xviii. 607.

same operation with a stick after he has taken his new wife to his own camp.¹ In Samoa, as we have seen, public defloration of the bride is a regular feature of the wedding ritual, the bridegroom performing it with his fore-finger.² A very similar practice exists in Egypt. In his description of that country, dating from 1840, Clot-Bey wrote :—" Le mari déflore l'épousée avec le doigt indicateur de la main droite, enveloppé d'un mouchoir de mousseline blanche. . . . Le mouchoir, teint du sang de la jeune victime, est présenté aux parents, qui la félicitent de sa chasteté et témoignent hautement leur joie. Cette preuve sanglante de la pureté de l'épouse est présentée ensuite aux invités de la noce."³ Mr. El-Bakry, a native of Egypt, tells me that this is still true of the *fellahîn* of his country.

In other cases girls are artificially deflowered before marriage by somebody else than their future husband. Among the Sakalava of Madagascar "les jeunes filles se déflorent elles-mêmes quand elles n'ont pas été déflorées dès leur bas âge par leur mère, et un père ne marie jamais sa fille avant que cette opération ait été menée à bonne fin par l'une ou par l'autre. Les princesses seules restent intactes."⁴ In some provinces of ancient Peru, when a girl was sought in marriage, she was brought out in public and, in presence of the relations who had made the contract, her mother deflowered her with her own hand, to show to all present the proof of the care that had been taken of her.⁵ Among the Kamchadal a man blamed his mother-in-law if he found his wife to be a virgin; hence her mother deflowered her in her early youth.⁶ In

¹ Gillen, 'Notes on some Manners and Customs of the Aborigines of the McDonnell Ranges belonging to the Arunta Tribe,' in *Report on the Work of the Horn Scientific Expedition to Central Australia*, iv. 165.

² Krämer, *Die Samoa-Inseln*, i. 36 sqq.

³ Clot-Bey, *Aperçu général sur l'Égypte*, ii. 44.

⁴ Noel, 'Ile de Madagascar,' in *Bulletin de la Société de Géographie*, ser. ii. vol. xx. 294.

⁵ Garcilasso de la Vega, *First Part of the Royal Commentaries of the Yncas*, i. 59. Cieza de Leon, 'La Crónica del Perú [parte primera], in *Biblioteca de autores españoles*, xxvi. 402.

⁶ Steller, *Beschreibung von dem Lande Kamtschatka*, p. 346.

the Philippine Islands old women often performed the same operation on young girls.¹ Among the Jatt of Baluchistan an old woman privately deflowers the bride with a razor a few hours previous to consummation, and it is believed that consummation is the only permanent cure for the wound.² Among the Wamegi in Central Africa "the girls are deflowered by certain old women."³ Among the Wayao in British Central Africa they are taken away to the bush by elderly women to be initiated, and the initiation ceremonies comprise, it is said, "a forcible *vaginae dilatatio* by mechanical means, an operation which the girls are enjoined to bear bravely. At the same time they are told that it must be followed by cohabitation with a man. This is regarded by the Yao as a necessity to render the girl marriageable before the age of puberty. The girls and their mothers believe that if after these initiation ceremonies nisi cum mare coitus fiet they will die or at any rate will not bear children when eventually married. Pater puellæ virum robustum (sæpe attamen senem) legit atque ei pecuniam dat ut puellæ virginitatem adimat. Hoc ante pubertatem fieri necesse, ne coitum conceptio sequatur."⁴ In many Australian tribes the girls are artificially deflowered by other men than their future husbands,⁵ and, as we shall see subsequently, the defloration is followed by sexual intercourse.

Among various peoples young women or girls are deflowered by extra-matrimonial intercourse in circumstances which clearly show that the act by no means implies the exercise of a right on the part of him who performs it, but is an operation which the husband is anxious to

¹ Mallat, *Les Philippines*, i. 61.

² Bray, *Census of India*, 1911, vol. iv. (Baluchistan) Report, p. 106.

³ Roscoe, 'Notes on the Manners and Customs of the Baganda,' in *Jour. Anthr. Inst.* xxxi. 121.

⁴ Johnston, *British Central Africa*, p. 410.

⁵ Hill, quoted by Miklucho-Maclay, 'Über die Mika-Operation in Central-Australien,' in *Verhandl. Berliner Gesellsch. Anthr.* 1880, p. 89 (natives of New South Wales). Gason, 'Of the Tribes, Dieyerie, &c.,' in *Jour. Anthr. Inst.* xxiv. 169. *Infra*, i. 200 sqq.

avoid. In Azimba Land, in Central Africa, when an unmarried girl is "danced," or initiated, her father "has to hire a man to sleep with his daughter the night after she is 'danced' and to deflower her 'Ka chatoa massita' (take away fat). To this man he has to pay one fowl, one bowl of flour, and a small bowl of beer, and after the girl has slept with this man, she is supposed to have no future intercourse with him."¹ Among the tribes near Fort Johnston in British Central Africa "a virgin on her marriage is 'broken' by a friend of the bridegroom before the latter cohabits with her. The friend is said 'to eat new things'—*Kudia ujobvu*."² In New Caledonia, "lorsqu'un mari ne peut ou ne veut déflorer sa femme, il se trouve, en payant, certains individus qui s'en acquittent à sa place. Ce sont des *perceurs attitrés*."³ In the Philippine Islands also, there were at the time of their discovery men who had for their employment to take away the virginity of damsels and who were paid for doing so, since virginity in a girl was looked upon as a hindrance to her marriage;⁴ but these professionals seem to have disappeared in the course of the seventeenth century.⁵ Among the Todas of the Nilgiris, in Southern India, a man of strong physique, who may belong to any clan except that of the girl, "comes and stays in the village for one night and has intercourse with the girl. This must take place before puberty, and it seemed that there were few things regarded as more disgraceful than that this ceremony should be delayed till after this period. It might be a subject of reproach and abuse for the remainder of the woman's life, and it was even said that men might refuse to marry her if this ceremony had not been performed at the proper time."⁶

¹ Angus, 'The "Chensamwali" or Initiation Ceremony of Girls, as performed in Azimba Land,' in *Verhandl. Berliner Gesellsch. Anthr.* 1898, p. 481.

² Stannus, 'Notes on some Tribes of British Central Africa,' in *Jour. Roy. Anthr. Inst.* xl. 309.

³ Moncelon, in *Bull. Soc. d'Anthr. Paris*, ser. iii. vol. ix. 368.

⁴ Morga, *Philippine Islands*, p. 304 sq. Mallat, *op. cit.* i. 61.

⁵ Gemelli-Careri, *Giro del mondo*, v. 87. Hertz, *Gesammelte Abhandlungen*, p. 198.

⁶ Rivers, *Todas*, p. 503.

We have seen that the defloration of girls in Malabar is spoken of by various writers as a right belonging to the Brahmans; but other authorities, whose accounts date from the beginning of the sixteenth century, represent it in a very different light. Alvares Cabral states that the Nayar women beg the men to deprive them of their virginity, since they can find no husbands as long as they remain virgins;¹ and according to Barbosa, the mother likewise asks some young men to deflower her daughter, because the Nayars hold it an unclean thing and almost a disgrace to deflower women.² Hieronimo di Santo Stefano wrote of them at the close of the fifteenth century that "the men never marry any woman who is a virgin; but if one, being a virgin, is betrothed, she is delivered over before the nuptials to some other person for fifteen or twenty days in order that she may be deflowered."³ It seems probable that the *tali kettu*, or mock marriage ceremony, existing among the Nayars and some other castes of the same tract is a relic of such pre-nuptial defloration. Every girl among them, before she arrives at maturity, is subject to this rite, the essential incident of which consists in the nominal husband tying a *tali*, or tiny plate of gold, round her neck. Having played his part in the ritual and received the customary fee,⁴ the man goes his way; he has no conjugal rights over the girl, nay in some places at least the fact that he has tied the *tali* round her neck constitutes an insurmountable barrier to his becoming her husband in later life.⁴

¹ 'Navigation del capitano Pedro Alvares,' in Ramusio, *op. cit.* i. 137.

² Barbosa, *Description of the Coasts of East Africa and Malabar in the Beginning of the Sixteenth Century*, p. 126.

³ *Account of the Journey of Hieronimo di Santo Stefano*, p. 5.

⁴ Gopal Panikkar, *Malabar and its Folk*, p. 143. Mary Billington, *Woman in India*, p. 80. Among the Kammālans, or artisan classes, in the Cochin State, however, "if the *tali* tier of a girl wishes to keep her as wife, he has the preference to anybody else, and to none else may she be given without his consent" (Anantha Krishna Iyer, *Cochin Tribes and Castes*, i. 346). Mr. Gait says (*Census of India*, 1911, vol. i. [India] Report, p. 242) that "in some parts the bridegroom is considered to have some sort of claim to the girl and may afterwards enter into *sambandham* (that is, actual marriage) with

Various theories have been suggested to explain this ceremony.¹ Sir Henry Winterbotham has expressed the opinion that it is a relic from the time when the Malabar Brahmans were entitled to the first fruits and it was considered the high privilege of every Nayar maid to be introduced by them to womanhood.² To this the objection has been made³ that the rite is also performed among castes of a lower status with whose women no Brahman would cohabit, and that in the earliest accounts of it there is no mention of Brahmans being employed as "bridegrooms," although at present Nayar girls often have the *tali* tied round their neck by some elderly Brahman.⁴ This, however, does not prevent the *tali kettu* ceremony from being a survival of the defloration of girls which, according to so many accounts, was once customary among the Nayars, but, as we have seen, was not necessarily performed by Brahmans. In his description of the defloration of the king's sister by a young man of the Nayar caste Castanheda expressly connects it with a *tali*-tying ceremony: after the act is done the young man hangs a jewel round the woman's neck, and this she wears all the rest of her life, as a sign that she is now at liberty to dispose of herself to anyone she pleases as long as she lives, because without this ceremony nobody can take a husband.⁵ According to another early Portuguese account, referred to above, the Nayar who deflowers a girl of his own caste spends with her four days, and as a token of the defloration hangs round her neck a so-called *quete* made of gold.⁶ Barbosa, whose description

her." For the *tali kettu* ceremony in general see Risley, *People of India*, p. 209; Gait, *op. cit.* p. 242; Thurston, *Ethnographic Notes in Southern India*, p. 121 sqq.; Anantha Krishna Iyer, *op. cit.* ii. 22 sqq.

¹ See Risley, *op. cit.* p. 209; Gait, *op. cit.* p. 242; Anantha Krishna Iyer, *op. cit.* ii. 27 sqq.

² Moore, *Malabar Law and Custom*, p. 70.

³ Gait, *op. cit.* p. 242.

⁴ Moore, *op. cit.* p. 70. Gait, *op. cit.* p. 242.

⁵ Lopez de Castanheda, *op. cit.* i. 45 sq.

⁶ 'Sommario di tutti li regni, &c. orientali,' in Ramusio *op. cit.* i. (1563) 331 D.

dates from the same age, is less positive. He says that when a Nayar girl becomes ten or twelve years old or more her mother begs some relation or friend to marry her daughter. The bridegroom puts a small gold jewel round the girl's neck, "which she always has to wear as a sign that she may now do what she pleases," and goes then away without touching her, "on account of being her relation." But if he is not so, "he may remain with her if he wish it, but he is not bound to do so if he do not desire it. And from that time forward the mother goes begging some young men to deflower that daughter."¹ Even according to this account there is a connection between the tying of the *tali* and the defloration of the girl, although they may, and, if the *tali*-tier is a relative, must, be performed by different men. Buchanan, who visited Malabar at a much later date—in 1800—wrote:—"The Nairs marry before they are ten years of age, in order that the girl may not be deflowered by the regular operations of nature; but the husband never afterwards cohabits with his wife. Such a circumstance, indeed, would be considered as very indecent."² About half a century later Graul informs us that the man who ties the *tali* round the girl's neck then spends four nights with her, and on the fifth morning receives a present from her uncle or brother, after which he goes away; but if he is a semi-Brahman—which is looked upon as a special honour—his connection with the girl ceases already at the moment he has tied the *tali*.³ It seems that even now the *tali*-tying ceremony is in some cases, for instance, with the Paduvals, followed by a mock consummation; and the Izhavans, or Tiyyans, of Cochin allow or allowed not long ago the *tali kettu* bridegroom to spend several days in the bride's house.⁴ It has also been observed that the ritual resembles in certain respects that which is used for the consecration of a *deva-dāsi*, or

¹ Barbosa, *op. cit.* p. 124 sqq.

² Buchanan, 'Journey from Madras,' in Pinkerton, *Collection of Voyages and Travels*, viii. 737.

³ Graul, *Reise nach Ostindien*, iii. 337.

⁴ Anantha Krishna Iyer, *op. cit.* i. 287 sq.

temple prostitute.¹ If the hypothesis which I am here advocating is correct, the object of tying the *tali* round the girl's neck may be explained as a means of protection or purification rendered necessary by the act of defloration, which, as Barbosa says, was held to be "an unclean thing."² To this day it is considered a religious impurity for a girl to attain puberty before the performance of this ceremony.³

In some cases the defloration is performed by a foreigner. Verhoeven states that when a lord or nobleman in Calicut marries, he hires either a Brahman or a white man to spend the first night with the bride and pays him about four or five hundred florins for doing so.⁴ Speaking of the Cochin custom according to which a bride is deflowered by one of the Brahmans or if there be none at hand by some other man, Roggewein adds that "this was formerly a very considerable advantage to such foreigners as were settled here, the Malabars making choice of them, rather than their own countrymen; and on such occasions they made very large presents, which sometimes amounted to 500 or 600 florins: but, of late days, this source is quite dried up; for the Bramins are become so very religious, that they take care never to be out of the way when this part of their duty is to be performed."⁵ The inhabitants of Malacca, according to Olearius, were fond of foreigners and even begged them to sleep the first night with their brides to deprive the latter of their virginity.⁶ Barthema observes that the king of Tenasserim let his wife be deflowered by a white man, either a Christian or a Moor, and not, like the king of Calicut, by a Brahman; and he illustrates this by the personal experience of his party.⁷ Barthema's English

¹ Gait, *op. cit.* p. 242. Risley, *op. cit.* p. 209. Thurston, *Ethnographic Notes*, p. 121. See also Francis, *Census of India*, 1901, vol. xv. (Madras) Report, p. 151; Thyagaraja Aiyar, *Census of India*, 1911, vol. xxi. (Mysore) Report, p. 99.

² Barbosa, *op. cit.* p. 126. ³ Anantha Krishna Iyer, *op. cit.* ii. 22.

⁴ Verhoeven, *op. cit.* p. 56. ⁵ Roggewein, *loc. cit.* p. 297.

⁶ Olearius, in Mandelsloe, *Morgenländische Reise-Beschreibung*, p. 144. See also Francisci, *Neu-polirter Geschicht- Kunst- und Sitten-Spiegel ausländischer Völker*, p. 937.

⁷ Barthema, *Itinerario nello Egipto*, &c. fol. lxviii.

translator adds that the prevalence of a similar custom in the Burmese provinces is confirmed by writers of a later date, and that evidence is not wanting of its existence up to a very recent period.¹ Van Linschoten, who sailed for India in 1583, writes that in the kingdom of Pegu, "when any gentleman or nobleman will marrie with a maide, hee goeth to séeke [one of his friendes, or] a straunger [and entreateth him to lie with] his bride the first night of their mariage, and to take her maydenhead from her, which he esteemeth as a great pleasure and honour [done unto him], that another man wold take upon him to ease him of so much payne. This custome is not onely used among the Gentlemen and chiefe nobilitie of the lande, but by the King himselfe."² Of the inhabitants of Aracan in the eighteenth century Richard says:—"Virginity is not an esteemed virtue with them. Husbands prefer running the risk of fathering the children of others, rather than marry a novice. It is generally Dutch sailors who are liberally paid for this infamous prostitution."³ We have previously spoken of the Tibetan custom mentioned by Marco Polo of old women taking their unmarried daughters or other girls related to them to strangers who were passing, and making them over to whomsoever would accept them.⁴

Among certain peoples it is said to be the custom for a father to deflower his daughter.⁵ This has been represented as a right belonging to him. Herport wrote in the latter part of the seventeenth century that when a Sinhalese gave his daughter in marriage, he first slept with her himself on the plea of having a right to the first fruit of the tree he had planted.⁶ Miklucho-Maclay was told that among the Orang Sakai of the Malay Peninsula the fathers of grown-up daughters claimed for themselves the *jus primae noctis*;

¹ Jones, in *Travels of Ludovico di Varthema*, p. lxxix.

² *Voyage of J. H. van Linschoten to the East Indies*, i. 99.

³ Richard, 'History of Tonquin,' in Pinkerton, *op. cit.* ix. 760 sq.

⁴ Marco Polo, *Kingdoms and Marvels of the East*, ii. 44. *Supra*, p. 162.

⁵ See Schmidt, *Liebe und Ehe im alten und modernen Indien*, p. 227 (Alfoors of Tonsawang in Minahassa, some Battas).

⁶ Herport, *Ost-Indianische Reis-Beschreibung*, p. 178 sq.

and he heard of the existence of the same custom in the Eastern Moluccas.¹ It is difficult, however, to believe that the custom in question really represents a right claimed by the father. His intercourse with the daughter more probably serves the object of making her acceptable to her husband.²

Why is a bridegroom reluctant to have intercourse with a virgin bride? One answer which has been given to this question is that he shuns the trouble.³ This explanation gains some support from statements made by a few first-hand authorities,⁴ but can at most have only a very limited application. The chief reason for his reluctance is no doubt superstitious fear.⁵ Among the Yahgans of Tierra del Fuego, if the husband wants to continue to eat the flesh of the guanaco or the seal, he must on the morning after the consummation of his marriage purify himself by bathing in the sea, which in many cases, especially in the winter, makes him ill.⁶ The Nayars, as we have seen, hold defloration to be polluting.⁷ In the most popular mediæval book of travel, 'The Voiage and Travaile of Sir John Maundeville,' which was composed soon after the middle of the fourteenth century, we read of an island in the Far East where it is the custom for the bridegroom not to spend the first night with the bride but to make another man do so and reward him

¹ Miklucho-Maclay, 'Ethnological Excursions in the Malay Peninsula,' in *Jour. Straits Branch Roy. Asiatic Soc.* no. 2, p. 216.

² Cf. Hertz, *op. cit.* p. 218; Ploss-Bartels, *Das Weib*, i. 691.

³ Francisci, *op. cit.* p. 936. Virey, *De la femme sous ses rapports physiologique, moral et littéraire*, p. 165 sq.

⁴ van Linschoten, *op. cit.* i. 99. Hill, quoted by Miklucho-Maclay, in *Verhandl. Berliner Gesellsch. Anthr.* 1880, p. 89. Roth, *Ethnological Studies among the North-West-Central Queensland Aborigines*, p. 175.

⁵ Cf. Rosenbaum, *Geschichte der Lustseuche im Alterthume*, i. 54; Hertz, *op. cit.* p. 211 sqq.; Ploss-Bartels, *op. cit.* i. 691; Crawley, *Mystic Rose*, p. 348 sq.

⁶ Bove, *Patagonia, Terra del Fuoco. Mari Australi*, p. 132.

⁷ *Supra*, p. 187. Among the Nattu Malaysians, a jungle tribe in the Cochin State, "a girl who has reached the age of puberty as a virgin is considered impure, and no person will take her for wife" (Anantha Krishna Iyer, *op. cit.* i. 32).

with money and thanks. In every town there are such men, whose sole occupation is to deflower brides, and in consequence are called, in the language of the country, "Cadeberiz, that is to seyne, the Foles of Wanhope. For thei of the Contree holden it so gret a thing and so perilous, for to have the Maydenhode of a Woman, that hun semethe that thei that haven first the Maydenhode, puttethe him in aventure of his Lif." The inhabitants explained this custom as an inheritance from ancient times, when "men hadden ben dede for deflourynge of Maydenes, that hadden Serpentes in hire Bodyes, that stongen men upon hire Zerdes, that thei dyeden anon."¹ I have not been able to find the authority for this superstition, but it cannot be supposed to have originated in the mediæval author's own imagination.

The fear of defloration is no doubt closely connected with the fear of hymeneal blood. In the Vedic literature the blood of the bridal night is represented as a poison and a seat of danger;² and a similar belief probably accounts for the old German custom of bringing new clothes to the married couple on the first morning of their wedded life.³ The woman, as well as the man, may be supposed to be in peril. Rochas writes of the New Caledonians:—"Le premier rapprochement intime est plus effrayant pour les calédoniennes que pour les femmes de nos sociétés policées dont l'esprit éclairé est à l'abri de toute crainte superstitieuse. Il n'a jarnais lieu sans une purification *légale*, avec une eau lustrale consacrée par un sorcier et dite *eau virginal*."⁴ The hymenal blood may also be regarded as dangerous to the offspring. In Andjra, in Morocco, there are bridegrooms who take care that no offspring can result from the defloration of the bride, since many people believe that the child would be diseased if the semen came into contact with the blood.⁵ Among the Swahili there is on the first day of the wedding only *immissio*

¹ *Voiage and Travaile of Sir John Maundeville*, p. 285 sq.

² Weber, 'Vedische Hochzeitssprüche,' in *Indische Studien*, v. 189, 190, 211 sqq.

³ Weinhold, *Die deutschen Frauen in dem Mittelalter*, i. 401 sq. Hertz, *op. cit.* p. 213. ⁴ de Rochas, *La Nouvelle Calédonie*, p. 235.

⁵ See Westermarck, *Marriage Ceremonies in Morocco*, p. 265 sq.

penis, not *seminis*.¹ And in Ukraina, according to Tchoubinsky, the bridegroom likewise refrains from consummating the marriage when he deflowers the bride.²

If defloration is considered a dangerous act it may be asked how other men can be induced to perform it on behalf of the bridegroom. This is easy to explain, even apart from the fact that they are often paid for it. As will be shown in a subsequent chapter, a bridegroom is commonly held to be in a state of danger, extremely susceptible to evil influences; hence an act which is supposed to be dangerous to him may be supposed to be much less dangerous or quite harmless to other men. Sometimes the defloration is performed by foreigners, who probably do not share the native dread of it; and in other cases it is performed by a holy man, whose sanctity allows him to do with safety what is perilous to ordinary persons. According to notions expressed in the ancient literature of India, the priest alone can purify the garment of the bride, just as he is the only one who is not polluted by contact with sacrificial blood.³

The operation in question may be performed by a holy man not only because it is supposed to entail no risk for him but because it is supposed to be good for the bride or a blessing for the married couple. Sexual intercourse with such a person is frequently held to be highly beneficial. Egede informs us that the native women of Greenland thought themselves fortunate if an Angekokk, or "prophet," honoured them with his caresses; and some husbands even paid him for having intercourse with their wives, since they believed that the child of such a holy man could not but be happier and better than others.⁴ Chénier speaks of a saint in Tetuan, in Morocco, who seized a young woman and had commerce with her in the midst of the street; "her companions, who surrounded her, uttered exclamations of joy, felicitated her on her good fortune, and the husband himself

¹ Zache, 'Sitten und Gebräuche der Suaheli,' in *Zeitschr. f. Ethnol.* xxxi. 75, 84.

² Volkov, 'Rites et usages nuptiaux en Ukraine,' in *L'Anthropologie*, ii. 578 sq.

³ Weber, *loc. cit.* p. 190.

⁴ Egede, *Description of Greenland*, p. 140.

received complimentary visits on this occasion.”¹ Among certain tribes of the Tachtadshys in Lycia, where the *dede* is at their yearly religious assemblies entitled to have intercourse with any woman he chooses, her husband “feels considerably honoured by this distinction.”² When the prelates of the Armenian Yezidees travel about on their visitation tours, they “no sooner arrive in a village, where they intend passing a day or two, than they at once get married; and the young lady selected for this honour becomes, in consequence, so holy that she is looked upon as a kind of saint or demon. If she happens to have a son, he becomes one of the priestly caste.” The prelate may never see or even think about his spouse after the wedding day, although his colleague or successor is compelled to make a very heavy disbursement before attaining his predecessor’s divorce.³ In the Mahabharata we read of princes and heroes who go and present their wives or daughters to some pious hermit that he may deign to accord them a son of his good works. It may indeed be said that “all India is imbued with the belief that sacerdotal blood is gifted with regenerating virtues.”

Barthema states that when the King of Calicut travels, one of the Brahmans, “although he might be only twenty years of age, remains in the house with the queen, and the king would consider it to be the greatest favour that these Brahmans should be familiar with the queen.”⁴ According to Mandelsloe, there is in Malabar scarcely a man of note who, when he is to be absent from home for any length of time, does not recommend his family, and especially his wife, to the care of a Brahman, to supply his place.⁵ In agreement with these views and practices the intercourse of a Brahman with a bride during

¹ Chénier, *Present State of the Empire of Morocco*, i. 187. See also Westernmarck, *Moorish Conception of Holiness (Baraka)*, p. 85.

² Petersen and Luschan, *op. cit.* p. 199 n. 1.

³ Creagh, *Armenians, Koords, and Turks*, i. 154 sqq.

⁴ *Travels of Ludovico di Varthema*, p. 144.

⁵ Mandelsloe, in Harris, *op. cit.* i. 767. See also Guyon, *op. cit.* i. 431.

the first night is also regarded as beneficial. Sir Thomas Herbert states that the Nayars supposed "the ground of better value by that holy seed, as they call it."¹ Guyon informs us that the young spouse in Malabar frequently rewards the Brahman to whom he has carried his bride, because he is persuaded that a marriage begun by a Brahman "cannot fail of being happy."² According to Navarette, the brides who are taken to the temples of idolatrous priests to be deflowered are held to be sanctified thereby, "and the Husbands carry them home well pleas'd."³ So also the Zikris consider the bride who has intercourse with the Mulla to be sanctified and cleansed by the association with him.⁴ In the case of a bride the first and most obvious benefit derived from intercourse with a holy man is purification or the removal of danger. It should be added that benefits may also be supposed to result from defloration by a stranger, who is often looked upon almost as a supernatural being.

There can be no doubt that the so-called *jus primae noctis* granted to a priest is, largely at least, based upon similar ideas. This is indicated by the facts that it is found among peoples where such ideas prevail; that, where the practice of defloration occurs, it is spoken of sometimes as the exercise of a right and sometimes as a favour or an onus to be paid for; and that even when it is called a right, he who deprives the bride of her virginity may expect a fee for it. Speaking of the *jus primae noctis* of the *pajé* among certain Brazilian tribes, von Martius observes that it is probably founded on the belief in woman's uncleanness, which prevails among so many rude peoples.⁵ What is or has been merely a habit may be interpreted as, or actually become, a right.⁶ The same may be said of the *jus primae noctis* of a chief or a king, whose services may be sought for on grounds similar to those which have led to defloration by priests. With reference to *le droit du seigneur* of the king of the Ballante, M. Marche remarks:—"Ce n'est même pas

¹ Herbert, *op. cit.* p. 337.

² Guyon, *op. cit.* i. 431

³ Navarette, *loc. cit.* p. 320.

⁴ Hughes-Buller, *op. cit.* p. 45.

⁵ v. Martius, *op. cit.* i. 113 sq.

⁶ Cf. Hertz, *op. cit.* p. 214 sq.; Ploss-Bartels, *op. cit.* i. 691.

pour lui, à proprement parler, un droit, mais une obligation, car sans cette formalité une jeune fille ne pourrait se marier. Cela oblige le père qui a des filles peu avenantes à aller faire au souverain un beau cadeau, en le suppliant d'avoir pitié de ses filles qui attendent de lui le droit de prendre un époux."¹ And in 'Leabhar na h-Uidhri' the druid Cathbad is represented as saying that King Conchobar was *obliged* to sleep the first night with Cuchulaind's bride.²

The defloration of a bride, however, could never have come to be looked upon as a right unless the act had been attractive. It is not to be believed that the chief or the priest slept with another man's bride from unselfish motives alone; and there may be cases in which the right to do so was nothing but a consequence of might. The *jus primae noctis* of a chief may have the same origin as the right of certain chiefs to cohabit with their female subjects at any time. Among the Guarani, according to Charlevoix, the caciques had a right to the use of the daughters of their subjects when they required it.³ In the Marshall Islands the chief has only to express a wish, and the subjects place anything they possess at his disposal, even their wives and children;⁴ and on Jaluit, the southernmost island of the group, the men of the higher classes have a right to appropriate the wives of the 'lower people.'⁵ So also in the Hawaiian Islands the chief had a claim over the virgins of his districts,⁶ and "the wives of the country people were sometimes appropriated by the men about court."⁷ Among the Marquesans "les grands chefs du même rang (ou peut-être d'un rang supérieur) que les jeunes mariés pouvaient posséder l'épouse."⁸ In Tonga the women of the lower

¹ Marche, *op. cit.* p. 70.

² *Leabhar na h-Uidhri*, p. 127, col. 1. Schmidt, in *Zeitschr. f. Ethnol.* xvi. 50 sq. ³ Charlevoix, *History of Paraguay*, i. 202.

⁴ Erdland, 'Die Stellung der Frauen in den Häuptlingsfamilien der Marshallinseln,' in *Anthropos*, iv. 106.

⁵ Hemsheim, *Südsee-Erinnerungen*, p. 81.

⁶ Rivers, *History of Melanesian Society*, i. 386.

⁷ Malo, *Hawaiian Antiquities*, p. 91.

⁸ Tautain, 'Étude sur le mariage chez les Polynésiens des îles Marquises,' in *L'Anthropologie*, vi. 645.

people were at the disposal of the chiefs, who even used to shoot the husbands if they made resistance.¹ Among the Maori, when a chief desired to take to himself a wife, he fixed his attention upon one and took her, if need be by force, without consulting her feelings and wishes or those of anyone else.² In Madagascar kings and princes had the power to dispose of all women in their dominions.³ Concerning the Barotse Dr. Holub writes, "Quite indisputed is the king's power to put to death, or to make a slave of any one of his subjects in any way he chooses; he may take a man's wife simply by providing him with another wife as a substitute."⁴ Among the Negroes of Fida, according to Bosman, the captains of the king, who have to supply him with fresh wives, immediately present to him any beautiful virgin they may see; and none of his subjects dare presume to offer objections.⁵ In Dahomey all women belong to the king, who can cause any girl to be brought to him before marriage and, if he pleases, retain her in the palace.⁶ Speaking of the ancient kingdom of Chamba (embracing a large portion of what is now called Cochin China), Marco Polo says, "No woman is allowed to marry until the King shall have seen her; if the woman pleases him then he takes her to wife; if she does not, he gives her dowry to get her a husband withal."⁷ There is reason to believe that in comparatively modern times some of the Râjas of Rîwa, a native state bordering on the North-Western Provinces of India, in their annual progresses, insisted on a supply of girls from the lower tribes.⁸ Among the Kukis "all the women of the village, married or single, are at the pleasure of the rajah," who is regarded by his

¹ Waitz-Gerland, *Anthropologie der Naturvölker*, vi. 184.

² Yate, *Account of New Zealand*, p. 96.

³ Grandidier, *Ethnographie de Madagascar*, ii. 154.

⁴ Holub, *Seven Years in South Africa*, ii. 160 sq.

⁵ Bosman, 'Description of the Coast of Guinea,' in Pinkerton, *op. cit.* xvi. 480.

⁶ Bastian, *Der Mensch in der Geschichte*, iii. 302. Burton, *Mission to Gelele*, ii. 67.

⁷ Marco Polo, *op. cit.* ii. 268.

⁸ Crooke, *Tribes and Castes of the North-Western Provinces and Oudh*, i. p. clxxxv.

people with almost superstitious veneration.¹ We hear of similar rights granted to priests. When one of the itinerant priests of Siva, known under the name of *djaugoumas*, who are mostly celibates, does an adept the honour to enter his house, every male who inhabits it is obliged to go away and lodge elsewhere, leaving wives and daughters with the holy personage, who prolongs his sojourn as seems good to him.² In an old monograph it is said of the Tottiyars, a Telugu agricultural caste, that "they have *Gurus* of their own caste, instead of Brahmans, one of whose privileges appears to be to lie with the wives of their disciples whenever they feel inclined."³ Among the Maori "a man who held the power that a priest did might claim almost any girl he desired, with a very good chance of getting her." Our informant, Mr. Best, adds that he has seen the same sort of thing in Mexico.⁴ Such privileges may be granted to priests not only on account of the miraculous effects attributed to their embraces, but for the purpose of gratifying their own desires, so as to avert their anger or gain their good-will or as a genuine mark of esteem.

Whether the *jus primae noctis* belonging to a chief or priest ultimately springs from ordinary persons' fear of hymeneal blood or from hope of benefits resulting from intercourse with a holy or superior person or from the sexual appetite of the man who has the right, it is always the consequence of his own personal qualities or authority and cannot, therefore, be regarded as the relic of an ancient communal right. But there are other cases in which sexual intercourse with a bride or an unmarried girl, involving defloration, is accorded to several men, who are not necessarily either chiefs or priests, and these cases have likewise been regarded as expiation for individual marriage dating from a time when women were held in common.⁵

¹ Dalton, *Descriptive Ethnology of Bengal*, p. 45.

² Reclus, *Primitive Folk*, p. 172.

³ Nelson, *View of the Hindū Law*, p. 141.

⁴ Best, 'Maori Marriage Customs,' in *Trans. and Proceed. New Zealand Inst.* xxxvi. 64.

⁵ Avebury, *Origin of Civilisation*, p. 437 sq.

Herodotus states that "when a Nasamonian first marries, it is the custom for the bride on the first night to lie with all the guests in turn, and each, when he has intercourse with her, gives her some present which he has brought from home."¹ Of the Augilae in the Cyrenaica, another Libyan people, Pomponius Mela writes that it is a solemn custom amongst them that their women the first night they are married shall abandon themselves to the common abuse of all men who come with reward, and that it is counted the greatest honour to have had to do with many on that occasion, although ever after the women keep themselves exceedingly chaste.² Solinus refers to the same custom among them, saying that the wives are compelled to have adulterous intercourse the first night.³ In the Balearic Islands, according to Diodorus Siculus, the oldest of the relatives and friends who were present at the nuptials cohabited with the bride first and then the rest, one after another according to their age, until at last the bridegroom had the honour to lie with her.⁴ In some provinces of Peru, says Garcilasso de la Vega, "the nearest relations of the bride and her most intimate friends had connection with her, and on this condition the marriage was agreed to, and she was thus received by the husband." He adds that Pedro de Cieza says the same;⁵ but the statement of the latter seems to refer not to the Indians of Peru, but to those of New Granada.⁶ In another chapter of his 'Commentaries' Garcilasso writes of the natives of Manta and its districts that "their marriages took place under the condition that the relations and friends of the bridegroom should enjoy the bride before her husband."⁷ Among the Caribs of Cuba, as we have already noticed, the bride of a cacique or of a man of somewhat lower rank had during the

¹ Herodotus, iv. 172.

² Pomponius Mela, *Chorographia*, i. 46.

³ Solinus, *op. cit.* xxxi. 4, Mommsen's edition, p. 137.

⁴ Diodorus Siculus, *op. cit.* v. 1.

⁵ Garcilasso de la Vega, *op. cit.* i. 59.

⁶ Cieza de Leon, 'La Crónica del Perú [parte primera],' ch. 49 in *Biblioteca de autores españoles*, xxvi. 402. Cf. Markham in Garcilasso de la Vega, *op. cit.* i. 59 n*.

⁷ Garcilasso de la Vega, *op. cit.* ii. 442.

first night intercourse, not with the bridegroom, but with his equals who were invited to the wedding.¹ Among the aborigines of Porto Rico "the right of the first night, when the bride had connection with other men of the rank of her husband, was practised not only by caciques and their dependent chiefs, but also by the common people."² Von Langsdorf states that in Nukahiva, one of the Marquesas Islands, "if the daughter of a person of distinction marries, a number of swine are killed, and all the friends and acquaintances are invited to the feast. Every guest at the nuptials has then a right, with the consent of the bride, to share the pleasures of the nuptial night with the bridegroom. The feasting commonly lasts two or three days, till all the swine are eaten, and from that time the wife must abstain from all intercourse with any other man except her husband."³ Dr. Tautain mentions the existence of a similar custom among the Marquesas Islanders:—"Sur un signal du marié tous les hommes présents se réunissaient, formaient une file en chantant et en dansant, et, chacun à son tour, défilait devant l'épouse, qui, couchée dans un coin du *paepae* des *koika*,⁴ la tête appuyée sur les genoux de son mari, les traitait tous en époux. Le défilé, qui avait commencé par les plus vieux, les moins nobles, se terminait par les grands chefs et, en dernier lieu, par le mari qui ensuite emmenait sa femme dans leur case."⁵

From these statements by themselves it is impossible to find the meaning of the customs they describe, but there is every reason to believe that those customs are closely connected with others which have already come under our notice. It is significant that Cieza de Leon and Garcilasso de la Vega speak of the pre-nuptial intercourse between the bride and her relatives and friends and the artificial defloration of her by her mother as alternative customs occurring

¹ *Supra*, p. 167.

² Fewkes, 'Aborigines of Porto Rico and Neighboring Islands,' in *Ann. Rep. Bur. Ethn.* xxv. 48.

³ v. Langsdorf, *Voyages and Travels*, i. 153.

⁴ *Koika*, "fête." *Paepae*, "plateforme élevée en pierres sèches."

⁵ Tautain, *loc. cit.* p. 642.

among different tribes of the same country. The Cuban custom just referred to is mentioned together with the defloration by caciques and priests in the case of brides of the lowest class, and it is expressly said that it was incumbent upon the invited guests to have connection with the bride.¹ Among Libyan peoples we find sexual relations between the bride and wedding guests alternating with defloration by the king. If intercourse with a priest or chief is supposed to remove the danger to which the bridegroom otherwise were exposed, a similar result may be expected from intercourse with the male guests at the wedding. It will perhaps be argued that the Libyan custom according to which they had to give presents to the bride ill agrees with the idea that they rendered the bridegroom a service. But presents may be regarded as bearers of good luck—this is distinctly the case with the silver coins given at weddings in Morocco;² and besides, the old custom may have survived the idea from which it sprang, and a mercenary motive may have been attached to it. Those who maintain that the intercourse of the wedding guests with the bride is the relic of communal marriage would also have to explain how it is that the exercise of a right has to be paid for. With reference to Lord Avebury's interpretation of the customs in question as acts of expiation for individual marriage, McLennan remarked that they are not cases of privileges accorded to the men of the bridegroom's group only, which they should be if they referred to an ancient communal right.³ In most cases we are not told to what group the men belonged; but in Manta they are said to have been relatives and friends of the bridegroom. Those, however, who are inclined to regard this statement as evidence of Lord Avebury's theory should notice that in other places belonging to the same region it was "the nearest relations of the bride and her most intimate friends" who had intercourse with her, or her own mother who deflowered her.

¹ Carli, *op. cit.* i. 71.

² See Westermarck, *Marriage Ceremonies in Morocco*, particularly p. 347 and the pages referred to in n. 5.

³ McLennan, *Studies in Ancient History*, p. 341.

Among various peoples the girls are said to be accustomed to earn a dowry by prostitution before they marry. This is, or has been, the case with the Ulad Naïd in Algeria¹ and among the ancient Phœnicians,² Cyprians,³ Lydians,⁴ and Etruscans,⁵ as also in the New World, among the Natchez of Louisiana⁶ and in Nicaragua⁷ and Guatemala.⁸ We have reason to believe, however, that this institution did not merely serve an economic object, but was in origin and purpose akin to the wedding ceremonies just considered. It has been especially found among races or in regions where other forms of defloration by somebody else than the husband have been prevalent. In 'The Testament of Judah' we are told that "it was a law of the Amorites, that she who was about to marry should sit in fornication seven days by the gate."⁹ Among the Mfiote, on the coast of Loango, it is the custom to take marriageable girls, dressed in long robes, from village to village with dancing and singing and offer the *jus primae noctis* for sale.¹⁰

In this connection certain Australian customs must be mentioned. Among some Queensland tribes, when a young woman shows signs of puberty, two or three men take her away in the bush, and, throwing her down, one of them forcibly enlarges the vaginal orifice with his fingers; then "other men come forward from all directions, and the struggling victim has to submit in rotation to promiscuous coition with all the 'bucks' present. . . . She now has

¹ Soleillet, *L'Afrique occidentale*, p. 118.

² St. Augustine, *De civitate Dei*, iv. 10.

³ Justin, *Historiae Philippicae*, xviii. 5. As regards this custom see further *infra*, i. 208.

⁴ Herodotus, i. 93. Clearchus, quoted by Athenaeus, *Deipnosophistae*, xii. 11, p. 516. See also Aelian, *Variae historiae*, iv. 1, though the collection of a dowry is not here mentioned as the motive for the prostitution of the girls.

⁵ Plautus, *Cistellaria*, ii. 3. 20 sq.

⁶ Le Page du Pratz, *History of Louisiana*, p. 343.

⁷ Andagoya, *op. cit.* p. 33. ⁸ Herrera, *op. cit.* iii. 340.

⁹ 'Testament of Judah,' in *Testaments of the Twelve Patriarchs*, trans. by Charles, p. 81.

¹⁰ Soyaux, *Aus West-Afrika*, p. 161. See also Bastian, *Die deutsche Expedition an der Loango-Küste*, i. 152, 177.

attained the degree in which she is allowed to marry."¹ Similar customs are found in many parts of Australia.² Spencer and Gillen say that in all tribes examined by them from the Urabunna in the south right through the centre of the continent to the western shores of the Gulf of Carpentaria a woman is sooner or later after the performance of the rite of cutting open the vagina handed over to certain definite men who have access to her before she becomes the property of one man ; and among these are not only men belonging to the same class as her husband, but individuals to whom she at other times is strictly forbidden, in the majority of tribes even tribal brothers.³ We are told that these customs "certainly point back to a time when there existed wider marital relations than obtain at the present day—wider, in fact, than those which are shown in the form of group marriage from which the present system is derived," and that even if they do not afford direct evidence of the former existence of actual promiscuity "they do afford evidence leading in that direction."⁴ This, however, is a mere assumption suggested by Lord Avebury's expiation theory, and as to the natives' own views we are left in the dark. Dr. Roth observes that the commonest reason assigned by the aborigines for the practice of lacerating the vaginal orifice, or female introcision, "is to make him 'big fellow,' not only for the convenience of the escaping progeny, as the men will allege, but also for the progenitor, as the women will say."⁵ We are not told whether the subsequent *coitus* is considered

¹ Roth, *op. cit.* p. 174 sq.

² Schomburgk, 'Über einige Sitten und Gebräuche der tief im Innern Südaustraliens, am Peake-Flusse und dessen Umgebung, hausenden Stämme,' in *Verhandl. Berliner Gesellsch. Anthr.* 1879, p. 235 sq. Purcell, 'Rites and Customs of Australian Aborigines,' *ibid.* 1893, p. 288. Gillen, in *Report on the Work of the Horn Scientific Expedition*, iv. 165 (Arunta).

³ Spencer and Gillen, *Northern Tribes of Central Australia*, p. 133 sqq. *Iidem*, *Native Tribes of Central Australia*, p. 92 sqq.

⁴ *Iidem*, *Native Tribes*, p. III.

⁵ Roth, *op. cit.* p. 175 See also Hill, quoted by Miklucho-Maclay, in *Verhandl. Berliner Gesellsch. Anthr.* 1880, p. 89 (natives of New South Wales); *infra*, i. 560 sq.

to serve similar purposes. In certain cases mentioned above it is for some curious reason held necessary that the defloration or *vaginae dilatatio* by mechanical means should be followed by cohabitation with a man. So also the sexual indulgence after introcision in Australia might be due to peculiar native beliefs, although these have escaped our informants' notice. On some other occasions magic significance is avowedly attributed to extra-matrimonial intercourse. According to Spencer and Gillen, it is very usual "to allow considerable licence during the performance of certain ceremonies when a large number of natives, some of them coming often from distant parts, are gathered together—in fact on such occasions all of the ordinary marital rules seem to be more or less set aside for the time being. . . . The idea is that the sexual intercourse assists in some way in the proper performance of the ceremony, causing everything to work smoothly."¹ With reference to the Dieri, Gason speaks of some "indescribable customs," so obscene and disgusting that he must pass them over by only thus briefly referring to them:—"that of causing a plentiful supply of wild dogs, that of creating a plenty of snakes, that of giving strength to young men."² Indeed, Dr. Roth expressly states that the Queensland natives ascribe curative qualities to the mixture of blood and semen in the girl who has been subject to introcision and subsequent promiscuous coition: it is drunk by any sick individual who is in camp on the occasion.³ But besides superstition, voluptuousness may also have its share in the sexual indulgence following on the operation in question, as well as in certain other cases. Dr. Eylmann observes that although the old men have several wives each and most of these are young women, their sensuality goes so far that they from time to time arrange erotic feasts at which all the ordinary rules of morality are suspended and adultery is not only allowed but compulsory.⁴

¹ Spencer and Gillen, *Northern Tribes*, p. 136 sq. *Idem*, *Native Tribes*, p. 96 sq.

² Gason, 'Manners and Customs of the Dieyerie Tribe,' in Woods, *Native Tribes of South Australia*, p. 280. ³ Roth, *op. cit.* p. 175.

⁴ Eylmann, *Die Eingeborenen der Kolonie Südaustralien*, p. 152 sq

Among the Dieri, "on the young women coming to maturity, there is a ceremony called *Wilpadrina*, in which the elder men claim, and exercise, a right to the young women."¹ Mr. Mathew says that among the Kabi in Queensland there were occasions when some right, analogous to the *jus primae noctis*, seems to have been exacted by the seniors in the camp;² and Mr. D. Campbell states that the elders of the tribe claim the same right in the South Gregory District.³ In Easter Island, also, the old men are said to have the right of deflowering all the girls.⁴

There are also, in Australia, cases of a different type in which a party of men have intercourse with a woman before the husband. "In New South Wales and about Riverina," says Mr. J. M. Davis, "when a young man is entitled to have a lubra, he organises a party of his friends, and they make a journey into the territories of some other tribe, and there lie in wait, generally in the evening, by a water-hole where the lubras come for water. Such of the lubras as may be required are then pounced upon, and, if they attempt to make any resistance, are struck down insensible and dragged off. There is also this peculiarity, that in any instance where the abduction has taken place for the benefit of some one individual, each of the members of the party claims, as a right, a privilege which the intended husband has no power to refuse."⁵ Dr. Howitt states that among the Kuinmurbura the men of the husband's class and totem who assisted him in carrying off the woman have access to her as a right; and this Howitt looks upon as a kind of expiation for individual marriage, "indicating a time when there was group-marriage."⁶ Similar customs have been

¹ Howitt, *Native Tribes of South-East Australia*, p. 664. *Idem*, 'Diery and other kindred Tribes of Central Australia,' in *Jour. Anthr. Inst.* xx. 87.

² Mathew, *Two Representative Tribes of Queensland*, p. 161.

³ *Idem*, *Eaglehawk and Crow*, p. 108.

⁴ Martinez, quoted by Knoche, 'Einige Beobachtungen über Geschlechtsleben und Niederkunft auf der Osterinsel,' in *Zeitschr. f. Ethnol.* xlv. 659.

⁵ Davis, in Brough Smyth, *Aborigines of Victoria*, ii. 316.

⁶ Howitt, *Native Tribes*, p. 219.

recorded from various other Australian tribes.¹ For my own part I have, in the earlier editions of the present work, explained the access which in such cases is granted to the husband's friends as a reward for a good turn done, or, perhaps, as McLennan suggests,² a common war-right, exercised by the captors of the woman. Spencer and Gillen admit that there is much to be said in favour of this explanation, but try to throw doubt on it by the remark that, "so far as Australia is concerned, it is founded upon such vague statements as that quoted by Brough Smyth upon the authority of Mr. J. M. Davis."³ By this they evidently mean that the members of the party organised by the young man, who claim access to the girl, are merely said to be his "friends"; they suspect that those friends are men belonging to the intended husband's own class, and seem to maintain that this would invalidate my explanation, since the claim made by them would be based on an ancient group-right. In a following chapter I shall try to show that no such group-rights have ever been proved to exist; whereas it is only natural that the reward in question could not be given to any men who are prohibited by tribal custom from having intercourse with the girl. The idea of reward is very conspicuous in the following statement referring to the Narrinyeri:—"In the cases of elopement the young man might call in the aid of his comrades, who then had the right of access to the girl, and his male relatives would only defend him from the girl's kindred on the condition of access to her."⁴

A custom very similar to the Australian one is found in

¹ *Ibid.* pp. 193, 205, 206, 261. Mathew, *Eaglehawk and Crow*, p. 108 (natives at the Clarence River, New South Wales). *Idem*, 'Australian Aborigines,' in *Jour. and Proceed. Roy. Soc. New South Wales*, xxiii. 404 (Kabi).

² McLennan, *Studies in Ancient History*, p. 337 note. Cf. Mathew, in *Jour. Roy. Soc. N. S. Wales*, xxiii. 404. Davis says (*loc. cit.* p. 316) that in New South Wales and about Riverina "in cases where one tribe has attacked another and carried off a lot of the lubras, those unfortunates are common property till they are gradually annexed by the best warriors of the tribe."

³ Spencer and Gillen, *Native Tribes*, p. 103.

⁴ Howitt, *Native Tribes* p. 261.

East Africa. Here, however, the capture of the girl is ceremonial only. Among the Wataveta, after the girl has been bought by the bridegroom she runs away and hides. She is pursued by four of his friends whose services have been solicited by him, and is soon captured with much affectation of resistance. Then she is conveyed to the hut of the bridegroom's mother, where she is kept a close prisoner for five days, and is now accessible to the four friends. Only after they have indulged in their privilege the legitimate husband claims his bride, and they are then visible to all their acquaintances.¹ A similar custom occurs among the Wateita.² Among the Masai, too, according to Merker, one or two of the bridegroom's old companions in arms have often a right of access to the bride. In case he opposes their claims, he is called by insulting epithets and told that if they rob him of some of his cattle he has nothing to complain of. He may escape the danger, however, by concluding his marriage without any ceremony, simply buying the bride and taking her quietly home to his hut.³ Mr. Crawley

¹ French-Sheldon, 'Customs among the Natives of East Africa,' in *Jour. Anthr. Inst.* xxi. 366. See also Johnston, *Kilima-njaro Expedition*, p. 431.

² Thomson, *Through Masai Land*, p. 51.

³ Merker, *Die Masai*, pp. 49, 232. In Abyssinia the bridegroom has a number of *arkees*, varying in number from six to twelve, who were chosen among themselves when boys. When playmates together, they agreed that when either of them marries they shall reciprocally act as *arkees*, or bridesmen, to each other. After the bridegroom has accepted the bride they are made to promise that they will "faithfully and truly fulfil towards her the part of brethren: wait on her; should she hunger, furnish her with food; or should she thirst, with drink. But they have more than this to do. Three or four of them generally sleep in the same room with the newly-married couple, to furnish them with anything they may require during the night." And, our informant adds, "they have a variety of other interesting and curious little offices to perform, which it appears are considered as not quite fit to print in English" (Parkyns, *Life in Abyssinia*, ii. 52, 56). Among certain Berbers of Morocco there are wedding customs of a somewhat similar nature, which I have recorded in my book on *Marriage Ceremonies in Morocco* (see particularly p. 273). Thus in one tribe the best-man is present when the bridegroom has intercourse with the bride and jokingly claims his share of the pleasure.

sees in the Australian and East African customs "the last detail in the preparation of the bride for her husband," and regards the idea of a reward given on the part of the husband to the friends who have assisted him as a secondary development.¹ He may be right. But here again we should remember that side by side with the notion of danger there is the feeling of sexual pleasure ; and this feeling may surely be as primitive a motive as any superstitious belief.

¹ Crawley, *The Mystic Rose*, p. 349.

CHAPTER VI

A CRITICISM OF THE HYPOTHESIS OF PROMISCUITY : RELIGIOUS PROSTITUTION—THE LENDING AND EXCHANGE OF WIVES—FEASTS

VERY similar to some of the practices discussed in the preceding chapter is a kind of religious prostitution, which has likewise been regarded as expiation for individual marriage.¹

Herodotus tells us that at Babylon every woman was obliged once in her life to go and sit down in the precinct of Mylitta—that is, of Ishtar or Astarte—and there consort with a stranger. A woman who had once taken her seat was not allowed to return home till one of the strangers threw a silver coin, which might be of any size, into her lap and took her with him beyond the holy ground. The silver coin could not be refused : that was forbidden by the law, since once thrown it was sacred. The woman went with the first man who threw her money, rejecting no one. When she had gone with him and so satisfied the goddess, she returned home, and from that time forth no gift, however great, would prevail with her. The money in question was dedicated to the goddess.² This custom is also mentioned by Strabo,³ but his account is simply borrowed from

¹ Avebury, *Origin of Civilisation*, p. 437. Wilutzky, *Vorgeschichte des Rechts*, p. 37 sqq.

² Herodotus, i. 199.

³ Strabo, xvi. 1 20.

Herodotus. Some independent evidence ¹ is found in the apocryphal 'Epistle of Jeremy,' which seems to have been written about the year 300 B.C.,² evidently by a person who was well informed.³ It is said there that the Babylonian women, "with cords about them sit in the ways, burning bran for incense: but if any of them, drawn by some that passeth by, lie with him, she reproacheth her fellow, that she was not thought as worthy as herself, nor her cord broken."⁴ In the cuneiform literature we are told of sacred prostitution carried on at Babylonian temples by particular women, but no confirmation of Herodotus' account has hitherto been found in it. This, however, does not justify Zimmern's accusation that he was guilty of gross exaggeration.⁵ Herodotus' statement derives much support from the fact that more or less similar customs have been reported from other places within the same culture area.

Herodotus says himself that the same rite was performed in Cyprus. In a later account, that by Justin, we read that "it was a custom among the Cyprians to send their daughters, on stated days before their marriage, to the sea-shore, to prostitute themselves, and thus procure money for their marriage portions, and to pay, at the same time, offerings to Venus for the preservation of their chastity in time to come."⁶ This custom closely resembles certain others which have been mentioned in another connection,⁷ but the reference to Venus suggests that the practice was not devoid of religious significance in spite of the mercenary motive attributed to it. This also holds good of the description given by Lactantius, who writes that Venus "first

¹ Cf. Naumann, *Untersuchungen über den apokryphen Jeremiasbrief*, p. 19 sq.

² *Apocrypha and Pseudepigrapha of the Old Testament in English*, edited by Charles, i: 596.

³ See Naumann, *op. cit.* p. 2.

⁴ 'Epistle of Jeremy,' v. 43, in *Apocrypha and Pseudepigrapha of the Old Testament*, i. 606.

⁵ Zimmern, in Schrader, *Die Keilinschriften und das Alte Testament*, p. 423.

⁶ Justin, *Historiae Philippicae*, xviii. 5. ⁷ *Supra*, p. 200.

instituted the art of courtezanship, as is contained in the sacred history, and taught women in Cyprus to seek gain by prostitution, which she commanded for this purpose, that she alone might not appear unchaste and a courter of men beyond other females."¹ With reference to the inhabitants of Heliopolis or Baalbec, in Syria, the ecclesiastical historian Socrates states that "their virgins were presented for prostitution to the strangers who visited them";² whilst Sozomenus speaks of their ancient custom of yielding up virgins to prostitution with any chance comer before being united in marriage to their betrothed. He adds that this custom was prohibited by a law enacted by Constantine, after he had destroyed the temple of Aphrodite at Heliopolis—which implies that the practice had a religious aspect.³ So also an earlier authority, Eusebius, in a chapter of his 'Life of Constantine,' entitled 'How he destroyed the Temple of Aphrodite at Heliopolis,' says that in that city "those who dignify licentious pleasure with a distinguishing title of honour, had permitted their wives and daughters to commit shameless fornication."⁴ At Byblus, where the people shaved their heads in the annual mourning for Adonis, women who refused thus to sacrifice their hair had to give themselves up to strangers on a certain day of the festival, and the money which they earned thereby was devoted to the goddess.⁵ This custom bears a still closer resemblance to the practices just mentioned, if Sir James G. Frazer is right in his suggestion that it is a mitigation of an older rule which compelled every woman without exception to sacrifice her virtue in the service of religion.⁶ In the worship of Anaitis the Armenians, even of the highest families, prostituted their daughters before they gave them in

¹ Lactantius, *Divinae Institutiones*, i. 17 (Migne, *Patrologiae cursus*, vi. 207).

² Socrates, *Historia ecclesiastica*, i. 18 (Migne, *op. cit.* Ser. Graeca, lxxvii. 123).

³ Sozomenus, *Historia ecclesiastica*, v. 10 (in Migne, *op. cit.* Ser. Graeca, lxxvii. 1243).

⁴ Eusebius, *Vita Constantini*, iii. 58 (Migne, *op. cit.* Ser. Graeca, xx. 1124).

⁵ Lucian, *De Syria dea* 6. ⁶ Frazer, *Adonis Attis Osiris*, i. 38.

marriage, and this was regarded as no bar to an honourable match ; but we are also told that the girls of rich families often gave their lovers more than they received from them.¹ It has been supposed that a similar custom is alluded to in a Lydian inscription from the second century, found at Tralleis, in which a lady by name Aurelia Aemilia proclaims with pride that she had prostituted herself in the temple service at the command of an oracle, in the same manner as her female ancestors had done.² With reference to these statements Dr. Farnell observes that it seems as if in Armenia and Lydia there had been a fusion of two institutions which elsewhere were distinct one from another, namely, harlot service for a prolonged period in a temple, and the consecration of each maiden's virginity as a preliminary to marriage.³

Various theories have been set forth to explain these customs. The religious prostitution of the Babylonian type has been supposed to be nothing but ordinary immorality practised under the cloak of religion.⁴ It has been represented as an act by which a worshipper sacrificed her most precious possession to the deity.⁵ According to M. Cumont, it is "a modified form, become utilitarian, of an ancient exogamy" : the virgin had to be given to a stranger before she was allowed to marry a man of her own race.⁶ These theories seem altogether too unsatisfactory to require any special consideration. Mannhardt explained the custom as a development of vegetation-ritual,⁷ and Frazer accepts his explanation.⁸ "We may conclude," the latter says, "that a great Mother Goddess, the personification of all the reproductive energies of nature, was worshipped under different names but with a substantial similarity of myth

¹ Strabo, xi. 14. 16.

² Ramsay, *Cities and Bishoprics of Phrygia*, i. 95. Farnell, *Greece and Babylon*, p. 275.

³ Farnell, *op. cit.* p. 275.

⁴ Jeremias, *Isdubar-Nimrod*, p. 60.

⁵ Curtiss, *Primitive Semitic Religion To-day*, p. 155.

⁶ Cumont, *Les religions orientales dans le paganisme romain*, p. 287 sq.

⁷ Mannhardt, *Wald- und Feldkulte*, ii. 283 sqq.

⁸ Frazer, *op. cit.* i. 36 n. 6.

and ritual by many peoples of Western Asia ; that associated with her was a lover, or rather series of lovers, divine yet mortal, with whom she mated year by year, their commerce being deemed essential to the propagation of animals and plants, each in their several kind ; and further, that the fabulous union of the divine pair was simulated and, as it were, multiplied on earth by the real, though temporary, union of the human sexes at the sanctuary of the goddess for the sake of thereby ensuring the fruitfulness of the ground and the increase of man and beast."¹ In the statements themselves, however, there is nothing whatever which indicates that the practices mentioned were supposed, on the principle of homœopathic magic, to ensure "the fertility of the ground and the increase of man and beast." Ishtar was no doubt a mother goddess, but her connection with vegetation was by no means prominent in the Babylonian religion.² And many of our authorities so emphatically represent the prostitution of the women as a preliminary to their marriage that this side of the rite cannot possibly be ignored. Frazer thinks perhaps that he meets this objection by another hypothesis which he combines with the former one. He says that if the conception of a Mother Goddess "dates, as seems probable, from a time when the institution of marriage was either unknown or at most barely tolerated as an immoral infringement of old communal rights, we can understand both why the goddess herself was regularly supposed to be at once unmarried and unchaste, and why her worshippers were obliged to imitate her more or less completely in these respects. . . . Formerly, perhaps, every woman was obliged to submit at least once in her life to the exercise of those marital rights which at a still earlier period had theoretically belonged in permanence to all the males of the tribe."³ Here he falls back upon Lord Avebury's theory that religious prostitution is a survival from an earlier stage of "communal marriage" and an expiation for the infringement of old communal rights—the theory with which we are now in the first place concerned.

¹ Frazer, *op. cit.* i. 39.

² Schrader, *op. cit.* p. 430.

³ Frazer, *op. cit.* i. 39 sq.

Whatever else may be said against this hypothesis, there is one formidable objection which, in my opinion, deprives it of every chance of success. In many of the statements it is expressly said that the women offered themselves up to strangers; Lucian is even careful to point out that none but strangers were allowed to enjoy them. If their prostitution really had been an expiation for an infringement of old communal rights, we might at all events expect the persons with whom they had intercourse to have been representatives of the community and not individuals who even under the old *régime* had no marital rights whatsoever. This objection has previously been raised by Dr. Farnell¹ and by Dr. Hartland.²

Dr. Hartland's own opinion is that the Babylonian rite was a puberty rite, and that a maiden was not admitted to the status and privileges of adult life until she had thus been ceremonially deflowered. Among those privileges, and the chief of them, was the gratification of the sexual instinct; hence the rite in question was a pre-requisite to marriage.³ This explanation presupposes that it was confined to unmarried girls—an assumption which will be examined subsequently; but even if it was so, Dr. Hartland's statement does not go to the root of the question. As Dr. Farnell justly observes,⁴ it does not explain why the loss of virginity should be considered desirable in a puberty ceremony or as a preliminary to marriage. Dr. Farnell himself sees in the rite the removal of a dangerous tabu by a religious act securing the divinity's sanction for the removal; just as the ripe cornfield must not be reaped before religious rites, such as the consecration of first-fruits, have loosened the tabu upon it. "So," he says, "the Babylonian safeguards

¹ Farnell, 'Sociological Hypotheses concerning the Position of Women in Ancient Religion,' in *Archiv f. Religionswissenschaft*, vii. 81. *Idem, Greece and Babylon*, p. 278.

² Hartland, 'Concerning the Rite at the Temple of Mylitta,' in *Anthropological Essays presented to E. B. Tylor*, p. 191 sq. *Idem, Ritual and Belief*, p. 269 sq.

³ *Idem*, in *Anthropological Essays presented to E. B. Tylor*, p. 189 sqq. *Idem, Ritual and Belief*, p. 278.

⁴ Farnell, *Greece and Babylon*, p. 281

the coming marriage by offering the first-fruits of his daughter to the goddess who presides over the powers and processes of life and birth. Under her protection, after appeal to her, the process loses its special danger; or if there is danger still, it falls upon the head of the stranger. For I can find no other way of accounting for his presence as a necessary agent, in the ritual of at least four widely separate communities of Semitic race."¹ Although I cannot agree with all the details of this statement, I think it quite probable that the bridegroom's fear of deflowering the bride was one motive for the rite. But in no case does it provide us with the full explanation of the customs concerned.

Let us consider their various aspects. In many of the statements the women who prostitute themselves are said to be virgins or girls who are about to be married. This is said of the women of Cyprus by Justin, of those of Heliopolis by Socrates and by Sozomenus, and of the Armenian women. It has been assumed that Herodotus likewise meant virgins in his description of the Babylonian rite, although he spoke of women.² This rite, it is argued, was an isolated act and therefore to be distinguished from temple prostitution of indefinite duration; the same rite was performed in Cyprus, where, as Justin clearly attests, the prostitution consisted in the defloration of virgins; and the accounts of the practice in other places render it fairly certain that only unmarried women were subjected to it. These arguments, however, do not seem to me to be conclusive. That every Babylonian woman was obliged once in her life to prostitute herself in the precinct of Mylitta does not necessarily imply that she had to do so while a maiden; Justin's description of prostitution in Cyprus differs so greatly from that of Herodotus that it may be doubted whether they really refer to the same

¹ *Ibid.* p. 279 sq. An essentially similar view was expressed by Farnell in his article in *Archiv f. Religionswiss.* (vii. 88), and was shared by Nilsson (*Griechische Feste von religiöser Bedeutung*, p. 366 sq.).

² Hartland, *Ritual and Belief*, p. 271. Farnell, *Greece and Babylon*, pp. 271, 280 n. Nilsson, *op. cit.* p. 366.

practice; and women, not virgins, are mentioned in other statements also, referring to Cyprus, Byblus, and Babylon itself, while Eusebius expressly speaks of the fornication of matrons as well as of unmarried women at Heliopolis. This last statement has been treated far too lightly by writers who see in the Babylonian and kindred practices nothing but a defloration rite;¹ Frazer justly remarks that Eusebius was born and spent his life in Syria, was a contemporary of the practices he describes, and thus had the best opportunity of informing himself about them.² It may also be asked why Herodotus in the present case spoke of women if he meant maidens, although he shortly before had been describing the Babylonian custom of selling "maidens" by public auction as wives.³ By all this I do not wish to deny that the Babylonian rite may have been essentially a preliminary to marriage, I only maintain that we cannot take for granted that it was so.⁴ Nor must we assume that the prostitution of virgins was restricted to the act of defloration. It is nowhere said to have been thus restricted. Of the Armenian damsels we are told that they acted as prostitutes for a long time before they were given in marriage.⁵ The Cyprian maidens, according to Justin, procured money for their marriage portions by prostituting themselves. The Amorite virgins had to "sit in fornication" seven days.⁶

The men to whom the women offered themselves are said to have been strangers, in Babylon and Cyprus by Herodotus, at Heliopolis by Socrates, at Byblus by Lucian. Justin's statement that the Cyprians sent their daughters to the sea-shore to prostitute themselves may imply the same; Dr. Farnell finds this supposition confirmed by the legend given by Apollodorus,⁷ that the daughter of Kinyras,

¹ Hartland, *Ritual and Belief*, p. 271. Farnell, *Greece and Babylon*, p. 280 n. Nilsson, *op. cit.* p. 366 n. 2.

² Frazer, *op. cit.* i. 37 n. 2.

³ Herodotus, i. 196. Cf. Corin, *Mating, Marriage, and the Status of Woman*, p. 63.

⁴ Cf. Frazer, *op. cit.* i. 58.

⁵ Strabo, xi. 14. 16.

⁶ *Supra*, p. 200.

⁷ Apollodorus, *Bibliotheca*, iii. 14. 3.

owing to the wrath of Aphrodite, had sexual intercourse with strangers.¹ According to Sozomenus, the virgins of Heliopolis were yielded up to prostitution with any chance comer, which seems to indicate that the stranger spoken of by Socrates was not necessarily a foreigner. In the 'Epistle of Jeremy' the Babylonian women are said to lie with passers-by; whilst the Amorite virgin who was about to marry should sit in fornication by the gate. In several statements payment is spoken of. The Cyprian girls, according to Justin, prostituted themselves to procure money for their marriage portions and to pay, at the same time, offerings to Venus. Herodotus states that in Babylon (and Cyprus) the money was devoted to the goddess, and the same was the case at Byblus. Of the Armenian girls we are told that they, if they were rich, often gave their lovers more than they received from them. At all the places concerned the prostitution of women is said by one or another of our authorities to be connected with the cult of the goddess of love and procreation, and in some of them, at any rate, it took place in the precinct of her temple.

When the rite consists of, or implies, the defloration of a virgin we naturally suspect that it, like other defloration practices, may have something to do with the belief that it is dangerous for the bridegroom to perform that act himself. It may be asked—indeed, in an earlier work I have myself asked²—Why should the stranger have been more willing than the bridegroom to expose himself to this danger? Dr. Hartland, who has raised the same objection, observes that the strangers who visited Babylon or Heliopolis could hardly have been on a plane of civilisation so far removed from that of the natives that they were either ignorant of, or indifferent to, the native ideas;³ nay, as we have just noticed, it seems that the stranger might have been almost any traveller or chance comer. Foreigners have been asked to deflower brides in Calicut and Cochin and elsewhere, but they were white men;

¹ Farnell, *Greece and Babylon*, p. 274.

² Westermarck, *Origin and Development of the Moral Ideas*, ii. 446.

³ Hartland, *Ritual and Belief*, p. 282 sq.

and they were often paid for doing it. So also natives have, in various countries, been induced by presents to undertake the task. But in the cases we are now discussing the man who performs the act, instead of being rewarded, has himself to pay. Why should he have to pay for rendering a dangerous service? This argument has been adduced by Hertz¹ and by Frazer.²

After reconsidering the whole question I cannot regard these objections as conclusive. As I observed in the last chapter, where the act is considered to be dangerous for the bridegroom to perform, it is not necessarily considered to be so for other men, since the bridegroom is commonly supposed to be in a delicate condition. Moreover, the danger attached to it might be removed by its being accomplished as a religious rite, just as it loses its perilous character by being performed by a holy individual. As for the money paid by the man, it may be said that if the act was thought to be harmless there would no doubt have been men who were quite willing to pay for it. Sometimes he even got back more than he paid. But when the money was dedicated to the goddess, it is not certain that it was really meant as a reward. It may have been a prophylactic, as money is on certain dangerous occasions in Morocco, or it may have served as a bearer of good luck, like silver coins in various Moorish ceremonies.³ It is noteworthy that it was a silver coin "of any size" that the stranger threw into the Babylonian woman's lap. And when he did so he said to her, "I invoke the goddess Mylitta to be gracious to you."⁴

This detail in Herodotus' account is in my opinion of the greatest importance for the right interpretation of the

¹ Hertz, *Gesammelte Abhandlungen*, p. 217.

² Frazer, *op. cit.* i. 59.

³ See *supra*, p. 199.

⁴ This is the hitherto accepted meaning of the Greek phrase, *ἐπικαλέω τοι τὴν θεὸν Μύλιττα* (see, e.g., Liddell and Scott, *Greek-English Lexicon*, p. 535; Rawlinson [*History of Herodotus*, vol. i. 324] translates it, "The goddess Mylitta prosper thee"). Dr. Farnell maintains (*Greece and Babylon*, p. 278) that it could as naturally mean, "I claim thee in the name of the goddess." This I cannot accept.

rite, because it reveals to us something like the people's own views on the subject. The stranger confers upon the woman a blessing, invoking the Mother Goddess at her own sanctuary. By doing so he evidently meant to ensure—not "the fruitfulness of the ground and the increase of man and beast"—but the fecundity of the woman herself and probably also an easy delivery. For to promote the latter was a function of the Mother Goddess; in fact, the name Mylitta is said to come from *Mu'allidtu*, which means "midwife."¹ Now we can understand the part played by the stranger in the rite. If no danger is in the circumstances supposed to be connected with the act, it might as well be performed by somebody else; but a stranger is, according to early ideas, almost a supernatural being, his blessings are particularly efficacious, and great benefits may be expected from his love.² Among the Hebrew traditions there is the tale of Lot and the two angels who visited him in Sodom, and in the book of Tobit the stranger is the angel Raphael.³ The author of the Epistle to the Hebrews writes, "Be not forgetful to entertain strangers: for thereby some have entertained angels unawares."⁴ The embraces of a stranger may therefore be highly appreciated not only in the case of virgins—from whom he besides presumably removes a tabu—but also by matrons. It is worth noticing that the stranger is mentioned by Herodotus and by Lucian, who speak of women in general; and although Eusebius makes no reference to him in

¹ Schrader, *op. cit.* pp. 423 n. 7, 428.

² Westermarck, *Origin and Development of the Moral Ideas*, i. 583 sqq.

³ These facts are pointed out by Dr. Hartland, who in his essay on the Mylitta rite in *Ritual and Belief* (p. 285 sqq.) avails himself of my observation that a stranger is regarded as a semi-supernatural being. The explanation of the rite which I gave in my *Origin and Development of the Moral Ideas* was subsequently accepted by M. van Gennep (*Les rites de passage*, p. 242 sq.). It is in substantial agreement with the present explanation, except that I there restricted the purpose of the rite to the attainment of the blessing of fertility, entirely rejecting Dr. Farnell's suggestion that it was the removal of a tabu.

⁴ *Hebrews*, xiii. 2.

connection with the fornication of matrons and virgins at Heliopolis, he figures in other accounts relating to that city.

This explanation of the Babylonian and kindred rites derives further probability from various statements quoted above which show that intercourse with a holy man is not only looked upon as a safeguard, in the case of brides, but also as a source of more positive benefits. And yet another set of practices should be noticed in this connection. From various parts of India we hear of virgins or brides being deflowered in temples by means of the phallus of an idol—according to Schouten, in order that their marriage shall be blessed;¹ and similar practices were sometimes resorted to by married women as a cure for sterility.² In Rome, according to Christian writers, the bride was placed on the phallus of a Priapus or, as Lactantius expresses himself, *in sinu pudendæ* of Tutunus, who was identical with Priapus.³ But Arnobius tells us that matrons also were put on “the huge members and horrent *fascinus*” of Tutunus because it was thought auspicious—that is, in order that they should become mothers.⁴ Here then we have instances of sexual rites being avowedly performed at sanctuaries partly for the purpose of deflowering virgins, and partly to ensure fertility in marriage. These are close parallels to the Semitic rites, as I conceive them.

¹ Balbi, *Viaggio dell' Indie Orientali*, fol. 68; *Voyage of J. H. van Linschoten to the East Indies*, i. 224; Mocquet, *Travels and Voyages into Africa, Asia, and America*, fol. 240 b. (Goa). Schouten, *Ost-indische Reyse*, p. 161 (Canara). Barbosa, *Description of the Coasts of East Africa and Malabar*, p. 96 (Southern Deccan). Fryer (*New Account of East-India and Persia*, p. 179) states that at Semissar, in Deccan, a large number of women prostituted themselves to an idol; they “reckon it a great Honour, and the Husband thinks himself happy in his *Cornucopia*.”

² Burnell, in *Voyages of J. H. van Linschoten to the East Indies*, i. 224 n. 3. Cf. Schouten, *op. cit.* p. 161.

³ St. Augustine, *De civitate Dei*, vi. 9. 3; vii. 24. 2 (Migne, *Patrologiæ cursus*, xli. 188, 215). Lactantius, *Divinæ institutiones*, i. 20 (*ibid.* vi. 227). Rossbach, *Untersuchungen über die römische Ehe*, p. 369 sqq. See also Hertz, *op. cit.* p. 272..

⁴ Arnobius, *Adversus gentes*, iv. 7 (Migne, *op. cit.* v. 1015).

There is also another form of religious prostitution besides that which we have now considered—not the temporary prostitution of a girl before marriage or of a matron, but the more or less permanent prostitution of women attached to a temple. Sir James G. Frazer suggests that this kind of prostitution likewise may be a survival of early communism. "In course of time," he says, "as the institution of individual marriage grew in favour, and the old communism fell more and more into discredit, the revival of the ancient practice even for a single occasion in a woman's life became ever more repugnant to the moral sense of the people, and accordingly they resorted to various expedients for evading in practice the obligation which they still acknowledged in theory. One of these evasions was to let the woman offer her hair instead of her person; another apparently was to substitute an obscene symbol for the obscene act. But while the majority of women thus contrived to observe the forms of religion without sacrificing their virtue, it was still thought necessary to the general welfare that a certain number of them should discharge the old obligation in the old way. These became prostitutes either for life or for a term of years at one of the temples: dedicated to the service of religion, they were invested with a sacred character, and their vocation, far from being deemed infamous, was probably long regarded by the laity as an exercise of more than common virtue."¹ And not only does Frazer consider these two kinds of religious prostitution as relics of the same state of ancient communism, but he also attributes to them the same function in the life of the people:—"In their licentious intercourse at the temples the women, whether maidens or matrons or professional harlots, imitated the licentious conduct of a great goddess of fertility for the purpose of ensuring the fruitfulness of fields and trees, of man and beast."² For my own part I believe that the two kinds of religious prostitution essentially differ from each other in origin and purpose.

Among the Ewhe- and Tshi-speaking peoples on the west coast of Africa there are priestesses or sacred women

¹ Frazer *op. cit.* i. 40 sq

² *Ibid.* i. 71.

who are forbidden to marry, apparently because they are considered to be the wives of, or to belong to, the god they serve. But this by no means implies that they are debarred from sexual intercourse. Major Ellis tells us that among the Ewhe-speaking peoples of the Slave Coast the chief business of the female *kosi*, or wife of the god to whom she is dedicated, is prostitution. "In every town there is at least one institution in which the best-looking girls, between ten and twelve years of age, are received. Here they remain for three years, learning the chants and dances peculiar to the worship of the gods, and prostituting themselves to the priests and the inmates of the male seminaries; and at the termination of their novitiate they become public prostitutes. This condition, however, is not regarded as one for reproach; they are considered to be married to the god, and their excesses are supposed to be caused and directed by him. Properly speaking, their libertinage should be confined to the male worshippers at the temple of the god, but practically it is indiscriminate. Children who are born from such unions belong to the god."¹ So also the priestesses among the Tshi-speaking peoples of the Gold Coast "are ordinarily most licentious, and custom allows them to gratify their passions with any man who may chance to take their fancy. A priestess who is favourably impressed by a man sends for him to her house, and this command he is sure to obey, through fear of the consequences of exciting her anger. She then tells him that the god she serves has directed her to love him, and the man thereupon lives with her until she grows tired of him, or a new object takes her fancy. Some priestesses have as many as half a dozen men in their train at one time, and may on great occasions be seen walking in state, followed by them. Their life is one continual record of debauchery and sensuality, and when excited by the dance they frequently abandon themselves to the wildest excesses."²

In India dancing-girls are, or have been, attached to a great many temples. According to Ward, who wrote his

¹ Ellis, *Ewhe-speaking Peoples*, p. 140 sqq.

² *Idem*, *Tshi-speaking Peoples*, p. 121 sq.

account of the Hindus a hundred years ago, there were, for example, at Jugunnat'hu-kshutru in Orissa a number of women of infamous character employed to dance and sing before the god; the Brahmans who officiated there continually had connection with them, but they also prostituted themselves to visitors.¹ With reference to Southern India, Dubois wrote that every temple, according to its size, entertains a band of so-called *déva-dâśi*, that is, "servants or slaves of the gods." to the number of eight, twelve, or more. They perform their religious duties, consisting of dancing and singing, twice a day, morning and evening. They are also obliged to assist at all the public ceremonies, which they enliven with their dance and merry song. But as soon as their public business is over, "they open their cells of infamy, and frequently convert the temple itself into a stew." They are bred to this profligate life from their infancy. They are taken from any caste, and are frequently of respectable birth. "It is nothing uncommon to hear of pregnant women, in the belief that it will tend to their happy delivery, making a vow, with the consent of their husbands, to devote the child in the womb, if it should turn out a girl, to the service of the Pagoda. And, in doing so, they imagine they are performing a meritorious duty."² In the Census Report of Mysore for 1911 Mr. Thyagaraja Aiyar writes:—"The practice of dedicating girls to temples or as public women (styled as *Basavi*) obtains in a few of the 'lower' castes, but it is gradually getting into disfavour. Among Kurubas when there are no sons in a family, the eldest girl is occasionally so dedicated. . . . Among Voddas, if an adult female cannot get any one to marry her, she may be dedicated to a free life in the name of Yellamma who is their patron deity."³ According to Buchanan, even married women who wearied of their husbands or widows who grew tired

¹ Ward, *View of the History, &c. of the Hindoos*, ii. 134.

² Dubois, *Description of the Character, &c. of the People of India*, p. 294 sq.

³ Thyagaraja Aiyar, *Census of India*, 1911, vol. xxi. (Mysore Report, p. 99.

of a life of celibacy went to a temple and prostituted themselves.¹ Frequently the ceremony of dedication closely resembles that of a formal marriage,² and the woman is actually regarded as the wife of the god to whom she is devoted. Thus the dancing girls who serve in the pagodas of Kārtikeya, the Hindu God of war, are betrothed and married to him, after which they may prostitute themselves; and similarly the Murlis, or dancing girls in Marātha temples, are married to Khandoba, the Marātha god of war.³

There were harlots connected with many Semitic cults. In the Gilgamesh-epos, Ishtar is represented as gathering round her dissolute girls and harlots, and as a goddess of prostitution the epithet "consecrated" is applied to her.⁴ Hammurabi makes a distinction between consecrated women, or "votaries,"⁵ who evidently were the daughters of good families dedicated by their fathers to religion, and so-called *qadishtu*, or genuine temple harlots;⁶ to the former class belonged the woman designated the "priestess" or "votary" of Marduk.⁷ In the Canaanite cults there were *qedēshōth* consecrated to the deity with whose temple they were associated and at the same time acting as prostitutes;⁸ and at the local shrines of North Israel the worship of Yahveh itself seems to have been deeply affected by these practices, which were forbidden in the Deuteronomic code.⁹ We hear of women "of the congregation of the

¹ Buchanan, 'Journey to Madras,' in Pinkerton, *Collection of Voyages and Travels*, viii. 749.

² *Supra*, p. 186 sq.

³ Russell, *Tribes and Castes of the Central Provinces of India*, iii. 376.

⁴ Naumann, *op. cit.* p. 21.

⁵ *Die Gesetze Hammurabis*, trans. by Winckler, § 110, p. 31. *Code of Laws promulgated by Hammurabi*, trans. by Johns, § 110, p. 20.

⁶ Winckler's translation, § 178 sqq., pp. 53, 55.

⁷ *Ibid.* § 182, p. 55. Johns' translation, § 182, p. 40. Cf. Dhorme, *La religion assyro-babylonienne*, p. 300 sq.

⁸ Driver, *Commentary on Deuteronomy*, p. 264. Cheyne, 'Harlot,' in Cheyne and Black, *Encyclopædia Biblica*, ii. 1965.

⁹ *Hosea*, iv. 14. *Deuteronomy*, xxiii. 17 sq. Cf. Cheyne, *loc. cit.* p. 1965

people of Astarte," at Carthage,¹ and of numbers of dedicated slave women in the cult of Aphrodite at Eryx,² which was at least semi-Semitic; and it is likely that some of these, at any rate, were dedicated to the impure religious practice.³ As for non-Semitic cults, it is clearly attested of the worship of Mā at Comana in Pontus⁴ and of Aphrodite in Corinth;⁵ but in these cases we have the right to assume Semitic influences at work.⁶ The practice survived in Lydia in the later period of the Graeco-Roman culture.⁷ Sir William Ramsay speaks of it as service performed to a god; but Dr. Farnell observes that the inscription referring to it neither mentions nor implies a god, and that the service in Asia Minor, so far as we know, was always to a goddess.⁸

The difference between the two types of religious prostitution which have come under our notice is obvious. In the one case a woman, most frequently a maiden, offers herself up temporarily to a stranger at the sanctuary of the Mother Goddess. In the other case a woman is more or less permanently attached to a male god as his wife or concubine or to a goddess, presumably as her servant, and offers herself up to his or her worshippers. Being regarded as sacred and inspired, a woman of the latter class may easily persuade a believer that the god has directed her to have intercourse with him, and he on his part is naturally not slow to accept the invitation. This explanation is directly suggested by statements relating to religious prostitution in West Africa, and it may have a wider application; we hear from India of dancing-girls who are considered to be possessed by the god and are consulted by the people as soothsayers.⁹ But I venture to suggest that the chief explanation lies in the fact that sexual intercourse with a holy person is supposed to be beneficial, and may

¹ *Corpus inscriptionum semiticarum*, pt. i. vol. i. no. 263, p. 340.

² Strabo, vi. 2. 6.

³ Farnell, *Greece and Babylon*, p. 272.

⁴ Strabo, xii. 3. 36.

⁵ *Ibid.* viii. 6. 20. Farnell, *Cults of the Greek States*, ii. 746.

⁶ Farnell, *Greece and Babylon*, p. 272.

⁷ Ramsay, *op. cit.* i. 95.

⁸ Farnell, *Greece and Babylon*, p. 273.

⁹ Balfour, *Cyclopaedia of India*, ii. 1012.

on that account be a regular feature of the cult. It is noteworthy that in some of the Semitic cults there was a prostitution of men. A clause in Hammurabi's code seems to refer to it;¹ and it is known that male prostitutes were serving Ishtar at Erech.² *Qedēshīm* were attached to Canaanite temples.³ The word properly denotes men dedicated to a deity,⁴ but has, no doubt for good reason, been translated "sodomites" in the English version of the Old Testament. It appears that such men were consecrated to the mother of the gods, the famous Dea Syria, whose priests or devotees they were considered to be;⁵ and they are frequently alluded to by Hebrew writers, especially in the period of the monarchy, when rites of foreign origin made their way into both Israel and Judah.⁶ The sodomitic acts committed with these sacred men may be explained as an outcome of the same belief which I have suggested to be the chief cause of the prostitution of the temple women. In Morocco supernatural benefits are to this day expected not only from heterosexual but also from homosexual intercourse with a holy person.⁷ But I entirely fail to see how the function of the male prostitutes could be either a rite intended to ensure "the fruitfulness of fields and trees, of man and beast," or a survival of "communal marriage." That the temple prostitutes are expiating an infringement of old communal rights is a suggestion which in some cases is absolutely inconsistent with facts, and in all cases a mere guess for which no evidence has ever been produced.

¹ Winckler's translation, § 187, p. 57.

² Schrader, *op. cit.* p. 422 sq.

³ *Deuteronomy*, xxiii. 17. Driver, *op. cit.* p. 264.

⁴ Driver, *op. cit.* p. 264 sq. Selbie, 'Sodomite,' in Hastings, *Dictionary of the Bible*, iv. 559. Cf. Frazer, *Adonis Attis Osiris*, i. 73 n. 1.

⁵ St. Jerome, *In Osee*, i. 4. 14 (Migne, *op. cit.* xxv. 851). Cook's note to 1 *Kings*, xiv. 24, in his edition of *Holy Bible*, ii. 571. See also Lucian, *Lucius*, 38; Eusebius, *Vita Constantini*, iii. 55 (Migne, *op. cit.* Ser. Graeca, xx. 1120).

⁶ 1 *Kings*, xiv. 24 : xv. 12 ; xxii. 46. 2 *Kings*, xxiii. 7. *Job*, xxxvi. 14. Driver, *op. cit.* p. 265.

⁷ See Westermarck, *Moorish Conception of Holiness (Baraka)*, p. 85.

Another custom which has been adduced as evidence of former communism in women is that which requires a man to offer his wife or one of his wives to a guest.¹ To Lord Avebury it seems to involve the recognition of "a right inherent in every member of the community, and to visitors as temporary members."² Were this so, we should certainly have to conclude that "communal marriage" has been widespread in the human race, the custom of lending wives occurring among many peoples in different parts of the world.³ But we might as well look upon the offer

¹ Avebury, *Origin of Civilisation*, p. 107. Post, *Die Geschlechts-genossenschaft der Urzeit*, p. 34 sq. Le Bon, *L'homme et les sociétés*, ii. 292. Lippert, *Kulturgeschichte der Menschheit*, ii. 17. Kohler, 'Ueber das Recht der Australneger,' in *Zeitschr. vergl. Rechtswiss.* vii. 327. Wilutzky, *op. cit.* i. 44 sqq.

² Avebury, *op. cit.* p. 107.

³ The practice of lending a wife to a guest has been found, for example, among the Guarani of Paraguay (Hernandez, *Organización social de las doctrinas Guaraníes*, i. 84), Indians of Brazil (v. Martius, *Beiträge zur Ethnographie Amerika's*, i. 118), Apache (Bancroft, *Native Races of the Pacific States*, i. 514), Comanche (Schoolcraft, *Archives of Aboriginal Knowledge*, v. 684), Californian Indians (Powers, *Tribes of California*, p. 153), Omaha (James, *Account of an Expedition from Pittsburgh to the Rocky Mountains*, i. 233), coast tribes of British Columbia (Sproat, *Scenes and Studies of Savage Life*, p. 95), Cree (Mackenzie, *Voyages to the Frozen and Pacific Oceans*, p. xcvi.), Eskimo (Richardson, *Arctic Searching Expedition*, i. 356; Bancroft, *op. cit.* i. 65), Aleut (Veniaminof, quoted by Bogoras, *Chukchee*, p. 607, n. 1), Tungus (Patkanov, quoted by Miss Czaplicka, *Aboriginal Siberia*, p. 107), Votyak (Buch, *Die Wotjaken*, p. 48), Tibetans (Marco Polo, *Kingdoms and Marvels of the East*, ii. 54; Desgodins, *Le Thibet*, p. 244; Grenard, *Tibet*, p. 260), Pathān clans of Baluchistan (formerly; Gait, *Census of India*, 1911, vol. i. [India] Report, p. 248), Sinhalese (Pridham, *Historical Account of Ceylon*, i. 250), Orang Sakai of Malacca and Dyaks of Sidin in Western Borneo (Wilken, 'Plechtigheden en gebruiken bij verlovingen en huwelijken bij de volken van den Indischen Archipel,' in *Bijdragen tot de taal-, land- en volkenkunde van Nederlandsch-Indië*, ser. v. vol. iv. 451), Australian aborigines (Curr, *The Australian Race*, i. 110; Angas, *Savage Life and Scenes in Australia*, i. 93; Wilkes, *Narrative of the United States Exploring Expedition*, ii. 195; Spencer and Gillen, *Native Tribes of Central Australia*, p. 63; *Idem*, *Northern Tribes of Central Australia*, p. 140; Howitt, *Native Tribes of South-East Australia*, pp. 208, 224; Malinowski,

of a meal and a bed to a guest as a relic from a time when no man had any food or shelter which he could call his own. For I think there can be no doubt that the custom which requires a host to lend his wife to his guest is only an incident of the general rule of hospitality, which in some form or other seems to prevail universally at the lower stages of civilisation.¹ It is not always the wife that is offered: it may be a daughter, a sister, or a servant.² This sort of hospitality is frequently mentioned in Irish *The Family among the Australian Aborigines*, p. 103), Melanesians of the New Hebrides (Codrington, *Melanesians*, p. 24), Caroline Islanders (Kotzebue, *Voyage of Discovery into the South Sea*, iii. 212), Marquesas Islanders (Lamont, *Wild Life among the Pacific Islanders*, p. 42), Hawaiians (Jarves, *History of the Hawaiian Islands*, p. 42; Meinicke, *Die Inseln des Stillen Oceans*, ii. 305), Malagasy (Grandier, *Ethnographie de Madagascar*, ii. 202), Masai (Merker, *Die Masai*, p. 50 n. 1; Johnston, *Uganda Protectorate*, p. 825; Kaiser, reviewed in *L'Anthropologie*, xvii. 710; Hopley, *Ethnology of A-Kamba*, p. 64), Akamba (*ibid.* p. 64), Nandi (Hollis, *Nandi*, p. 77), Wasania (Barrett, 'Notes on the Customs and Beliefs of the Wagiriama, etc., British East Africa,' in *Jour. Roy. Anthr. Inst.* xli. 31), Baganda (Felkin, 'Notes on the Waganda Tribe,' in *Proceed. Roy. Soc. Edinburgh*, xiii. 711 sq.), Banyankole (Roscoe, 'Bahima,' in *Jour. Roy. Anthr. Inst.* xxxvii. 105; *Idem*, *Northern Bantu*, p. 121 sq.), Basuto (Rolland, quoted by Theal, *History of the Boers*, p. 19), Kafirs (v. Weber, *Vier Jahre in Afrika*, ii. 218), Baya (Poupon, 'Étude ethnographique des Baya,' in *L'Anthropologie*, xxvi. 126), Yoruba (Ellis, *Yoruba-speaking Peoples of the Slave Coast*, p. 182), Canarians (Cook, 'Aborigines of the Canary Islands,' in *American Anthropologist*, N.S. ii. 479 sq.), ancient Arabs (Wellhausen, 'Die Ehe bei den Arabern,' in *Nachrichten von der Königl. Gesellsch. f. Wissensch. Göttingen*, 1893, no. 11, p. 462). In many of these cases, however, the lending of the wife is only spoken of as a more or less frequent practice, not as a duty incumbent upon the host.

¹ See Westermarck, *Origin and Development of the Moral Ideas*, i. 572 sqq.

² Waitz, *Anthropologie der Naturvölker*, iii. 111 (North American Indians). Coxe, *Russian Discoveries between Asia and America*, p. 245. Marco Polo, *op. cit.* ii. 54 (people of Caidu, Eastern Tibet). Sauer, *Expedition to the Northern Parts of Russia*, p. 49; Patkanov, quoted by Miss Czaplicka, *op. cit.* p. 107 (Tungus). Regnard, 'Journey to Lapland,' in Pinkerton, *op. cit.* i. 166 sq. Rochon, 'Voyage to Madagascar,' *ibid.* xvi. 747. Moore, *Marriage Customs, &c. of the Various Nations of the Universe*, p. 267. Post, *Die Geschlechts-genossenschaft der Urzeit*, p. 34 sq.

heroic tales,¹ and M. Méray has called attention to a number of instances occurring in French mediæval literature which point to the former existence of the custom in France.² Among the Maori "it was a point of hospitality that when a strange chief of high rank paid a visit his entertainer should send a temporary wife or wives to his guests; generally his own daughter as a special honour";³ whereas married women were never offered to visitors.⁴ When we read that among the coast tribes of British Columbia "the temporary present of a wife is one of the greatest honours that can be shown there to a guest";⁵ or that such an offer was considered by the Eskimo "as an act of generous hospitality";⁶ or that in the Hawaiian Islands visitors who were their hosts' equals or superiors in rank were accommodated with women as a necessary exercise of hospitality⁷—I cannot see why we should look for a deeper meaning in these practices than that which the words imply. Among certain tribes the wife is said to be offered to a guest who belongs to the husband's clan⁸ or who is his friend;⁹ but frequently it is represented as a particular mark of distinction,¹⁰ or as a favour bestowed even upon European visitors.¹¹ And to refuse it may be considered an insult¹² or make the guest "despised by the men and scorned by the women."¹³

¹ Potter, *Sohrab and Rustem*, p. 148.

² Méray, *La vie au temps des Trouvères*, p. 77 sqq.

³ Tregear, *The Maori Race*, p. 298.

⁴ Best, 'Maori Marriage Customs,' in *Trans. and Proceed. New Zealand Institute*, xxxvi. 63.

⁵ Sproat, *op. cit.* p. 95.

⁶ Richardson, *op. cit.* p. 356.

⁷ Jarves, *op. cit.* p. 42.

⁸ Hobley, *op. cit.* p. 64 (various East African tribes).

⁹ *Ibid.* p. 64 (Akamba). Roscoe, in *Jour. Roy. Anthr. Inst.* xxxvii. 105 (Banyankole). Poupon, *loc. cit.* p. 126 (Baya).

¹⁰ Hernandez, *op. cit.* i. 84 (Guarani). Lamont, *op. cit.* p. 42 (Marquesas Islanders). Grandidier, *op. cit.* ii. 202 (Malagasy). d'Arbois de Jubainville, *L'épopée celtique en Irlande*, i. 7 sq. (referring to Conchobar, king of Ulster).

¹¹ James, *op. cit.* i. 233 (Omaha). Spencer and Gillen, *Native Tribes of Central Australia*, p. 101 sq. Felkin, *loc. cit.* p. 712 (Baganda).

¹² Potter, *op. cit.* p. 147. Cook, in *American Anthropologist*, N.S. ii. 480 (Canarians).

¹³ Felkin, *loc. cit.* p. 712 (Baganda).

To offer one's wife to a friend may not merely be an expression of good-will. Generally speaking, when the visitor belongs to a community with which there is reciprocity of intercourse, it is good policy to give him a hearty reception; for he who is the host to-day may be the guest to-morrow. "If the Red Indians are hospitable," says Domenech, "they also look for their hospitality being returned with the same marks of respect and consideration."¹ So, too, it may be prudent for the host to show unusual regard for a powerful or influential man, even though he cannot expect to be paid back exactly in his own coin. But, as I have shown in another work, the custom of hospitality is also associated with superstitious beliefs.² The unknown stranger, like everything unknown and everything strange, arouses a feeling of mysterious awe in simple minds. The Ainu say, "Do not treat strangers slightly, for you never know whom you are entertaining."³ According to Homeric notions, "the gods, in the likeness of strangers from far countries, put on all manner of shapes, and wander through the cities, beholding the violence and the righteousness of men."⁴ It is significant that in the writings of ancient Greece, Rome, and India guests are mentioned next after gods as due objects of regard.⁵ When properly treated, the stranger may bring with him great blessings; for if efficacy is ascribed to the blessings even of an ordinary man, those of a stranger are naturally supposed to be still more powerful. And there is yet another reason for pleasing him. He is regarded not only as a potential benefactor, but as a potential source of evil. He is commonly believed to be versed in magic; and the evil wishes and curses of a stranger are greatly feared, owing partly to his quasi-supernatural character, partly to his

¹ Domenech, *Seven Years' Residence in the Great Deserts of North America*, ii. 319. See also Westermarck, *Origin and Development of the Moral Ideas*, i. 581 n. 2.

² *Origin and Development of the Moral Ideas*, i. 582 sqq.

³ Batchelor, *Ainu and their Folk-Lore*, p. 259.

⁴ *Odyssey*, xvii. 485 sqq.

⁵ Gellius, *Noctes Atticae*, v. 13. 5. *Anugitā*, 3, 31 (Sacred Books of the East, viii. 243, 361). See also *Hitopadesa*, Mitralābhā, 65.

close contact with the host and his belongings, which makes it easy for him to transfer evil to them. In the work referred to I said that the custom which requires a host to lend his wife to a guest "becomes more intelligible when we consider the supposed danger of the stranger's evil eye or his curses, as also the benefits which may be supposed to result from his love"; but I added that I could adduce no direct evidence for my supposition.¹ The following statements, which had escaped my notice, seem to confirm it; the first one shows that superstition may induce a man to lend his wife to another man, even though he be no stranger. Concerning the North-West-Central Queensland aborigines Dr. Roth states:—"If an aboriginal requires a woman temporarily for venery he either borrows a wife from her husband for a night or two in exchange for boomerangs, a shield, food, &c., or else violates the female when unprotected, when away from camp out in the bush. In the former case, the husband looks upon the matter as a point of honour to oblige his friend, the greatest compliment that can be paid him, provided that permission is previously asked. On the other hand, were he to refuse, he has the fear hanging over him that the petitioner might get a death-bone pointed at him—and so, after all, his apparent courtesy may be only Hobson's choice."² The belief in the death-bone and its property of causing sickness and death is a universal superstition among those natives and one which fills them with the utmost fear.³ With reference to the people of Caidu, in Eastern Tibet, Marco Polo wrote:—"No man considers himself wronged if a foreigner, or any other man, dishonour his wife, or daughter, or sister, or any woman of his family, but on the contrary he deems such intercourse a piece of good fortune. And they say that it

¹ *Origin and Development of the Moral Ideas*, i. 593.

² Roth, *Ethnological Studies among the North-West-Central Queensland Aborigines*, p. 182. It is said that among the Tottiyars in Southern India newly-married women are compelled to cohabit with their husband's near relatives, and that ill-luck is believed to attend any refusal to do so (Thurston, *Castes and Tribes of Southern India*, vii. 186).

³ Roth, *op. cit.* p. 152.

brings the favour of their gods and idols, and great increase of temporal prosperity. For this reason they bestow their wives on foreigners and other people."¹ Mr. Potter has been told that North American Indians, in lending their wives, have often been actuated by a desire to procure nobler offspring.²

Besides the custom of lending wives to visitors, the temporary exchange of wives, which is also a frequent, though not equally frequent, practice,³ has been represented as a survival of ancient promiscuity.⁴ Sometimes the two practices are combined. Among the Banyankole or Bahima in Central Africa, "when a man and his wife visit a friend, they invariably exchange wives during the time of the visit";⁵ and a similar custom prevailed in the Hawaiian Islands.⁶

¹ Marco Polo, *op. cit.* ii. 53 sq.

² Potter, *op. cit.* p. 150.

³ It has been found among the Jíbaros of Ecuador (Orton, *Andes and the Amazon*, p. 172; Simson [*Travels in the Wilds of Ecuador*, p. 89], however, says that he has not heard of this custom among them), Eskimo (Nansen, *Eskimo Life*, p. 169; Holm, 'Konebaads-Expeditionen til Grønlands Østkyst 1883-85,' in *Geografisk Tidsskrift*, viii. 92; Lyon, *Private Journal during the Voyage of Discovery under Captain Parry*, p. 354), Northern Déné (Hearne, *Journey from Prince of Wales's Fort to the Northern Ocean*, p. 129; Morice, 'The Great Déné Race,' in *Anthropos*, ii. 33), Aleut (v. Langsdorf, *Voyages and Travels*, ii. 47; Jochelson, *Koryak*, p. 756), Kamchadal (Steller, *Beschreibung von Kamtschatka*, p. 347), Himalayans (Stulpnagel, 'Polyandry in the Himālayas,' in *Indian Antiquary*, vii. 134), Nayars (*Travels of Ludovico di Varthema*, p. 145 sq.), pagan Arabs (*Alberuni's India*, i. 109), Baya (Poupon, in *L'Anthropologie*, xxvi. 126), Ayao (Stigand, 'Notes on the Natives of Nyassaland, N.E. Rhodesia, and Portuguese Zambesia,' in *Jour. Roy. Anthr. Inst.* xxxvii. 122), Wagiriana (Barrett, 'Notes on the Customs and Beliefs of the Wa-Giriana, etc., British East Africa,' *ibid.* xli. 22), Australian aborigines (Howitt, *op. cit.* pp. 170, 195, 216, 217, 224, 260, 276 sq.; Eylmann, *op. cit.* p. 153), and various South Sea Islanders (Christian, *Caroline Islands*, p. 74; Guppy, *Solomon Islands*, p. 43; Parkinson, *Dreissig Jahre in der Südsee*, p. 267 [New Ireland and New Hanover]; Waitz-Gerland, *Anthropologie der Naturvölker*, vi. 130, 131, 622). See also below.

⁴ Wilutzky, *op. cit.* i. 20 sq.

⁵ Roscoe, in *Jour. Roy. Anthr. Inst.* xxxvii. 105. *Idem*, *Northern Bantu*, p. 122.

⁶ Remy, *Ka Mooololo Huwusi*, p. xli.

An exchange of wives may take place simply for the sake of enjoyment. Merolla da Sorrento says that the Negroes of Angola, who used to exchange their wives with each other for a certain time, excused themselves, when reproached, on the ground that "they were not able to eat always of the same dish."¹ Among the Baya of West Africa, "un camarade, qui reçoit un des ses bons amis, lui prete sa femme pour la nuit ; s'ils ont chacun du goût pour la femme de l'autre, ils en font l'échange."² On the east coast of Greenland the natives, while living in their winter houses, often play "a wife-exchanging or lamp-extinguishing game," in which the unmarried also take part ; and Holm tells us that "a good host always has the lamps put out at night when there are guests in the house."³ Among the Eskimo of Hudson's Bay, "an exchange of wives is frequent, either party being often happy to be released for a time, and returning without concern."⁴

Among the Eskimo men also exchange their wives for purely practical reasons.⁵ Of those living round Repulse Bay we are told that "if a man who is going on a journey has a wife encumbered with a child that would make travelling unpleasant, he exchanges wives with some friend who remains in camp and has no such inconvenience. Sometimes a man will want a younger wife to travel with, and in that case effects an exchange, and sometimes such exchanges are made for no especial reason, and among friends it is a usual thing to exchange wives for a week or two about every two months."⁶ Murdoch speaks of a Point Barrow Eskimo of his acquaintance who planned to go to the river deer-hunting in the summer of 1882, and borrowed his

¹ Merolla da Sorrento, 'Voyage to Congo,' in Pinkerton, *op. cit.* xvi. 299.

² Poupon, in *L'Anthropologie*, xxvi. 126.

³ Holm, in *Geografisk Tidsskrift*, viii. 92. Nansen, *op. cit.* p. 169. Cf. Dalager, *Grønlandske Relationer*, p. 67 sq.

⁴ Turner, 'Ethnology of the Ungava District,' in *Ann. Rep. Bur. Ethn.* xi. 189.

⁵ See Parry, *Journal of a Second Voyage*, p. 528 ; Hawkes, *The Labrador Eskimo*, p. 116.

⁶ Gilder, *Schwatka's Search*, p. 251.

cousin's wife for the expedition, as she was a good shot and a good hand at deer-hunting, while his own wife went with his cousin on a trading expedition to the eastward. On their return the wives went back to their respective husbands. But sometimes it happens in similar cases that the couples find themselves better placed with their new mates than with the former association and that, in consequence, the exchange is made permanent.¹ Among the Eskimo at Fury and Hekla Straits some of the young men informed Parry and his party that "when two of them were absent together on a sealing excursion, they often exchanged wives for the time, as a matter of friendly convenience."²

In some cases anger or disgust is said to be the motive for exchanging wives. Among the Himalayan mountaineers, according to Dr. Stulpnagel, "it is nothing extraordinary to hear that two men disgusted with their wives have agreed to interchange them, hoping that a new arrangement in their domestic affairs would conduce to greater peace and comfort."³ Among the Bangala of the Upper Congo River, "sometimes, in anger, two men would exchange their wives, especially if one man's wife was continually running after the other man."⁴ Among the Ayao, south of Lake Nyasa, if a man's wife admits that she has committed adultery, the co-respondent sometimes, instead of giving a present, lends his wife for the same number of nights as he slept with the other man's wife.⁵ Among the Darling tribes of New South Wales it is an occasional custom "that two tribal brothers having quarrelled, and wishing for a reconciliation, the one sends his wife to the other's camp, and a temporary change is effected."⁶

¹ Murdoch, 'Ethnological Results of the Point Barrow Expedition,' in *Ann. Rep. Bur. Ethn.* ix. 413.

² Parry, *op. cit.* p. 529.

³ Stulpnagel, in *Indian Antiquary*, vii. 134.

⁴ Weeks, 'Anthropological Notes on the Bangala of the Upper Congo River,' in *Jour. Roy. Anthr. Inst.* xxxix. 442.

⁵ Stigand, in *Jour. Roy. Anthr. Inst.* xxxvii. 122.

⁶ Cameron, 'Notes on some Tribes of New South Wales,' in *Jour. Anthr. Inst.* xiv. 353.

Sometimes the exchange of wives is described as a sign of friendship. Thus among the Northern Déné, according to Father Morice, "the momentary exchange of wives was regarded, not as a breach of propriety, but on the contrary as an unsurpassed token of friendship";¹ and among the Eskimo of Davis Strait and Cumberland Sound, according to Dr. Boas, "a strange custom permits a man to lend his wife to a friend for a whole season or even longer and to exchange wives as a sign of friendship."² If our informants had entered more deeply into the native mind, it is possible that they would have found the practice to be something more than a mere sign of intimacy; some magic significance may have been ascribed to it. The South Sea Islanders maintain that an exchange of names, which is a common practice among them, establishes a kind of relationship, not only between the parties themselves, but between their people generally.³ And, as we shall see subsequently, some savages have the idea that if a man commits adultery with another man's wife, the fate of the husband is thereby in a mysterious manner associated with that of the adulterer, because they have had intercourse with the same woman.⁴

In certain cases the practice of exchanging wives is undoubtedly connected with some superstition. Writing of shamanistic performances among the Eskimo of the western coast of Hudson's Bay, Dr. Boas states:—"It seems that the incantations of the *angakut* [pl. of *angakok*] are always performed in the evening. After each of these ceremonies the people must exchange wives. The women must spend the night in the huts of the men to whom they are assigned. If any woman should refuse to go to the man to whom she is assigned she would be sure to be taken sick. The man and the woman assigned to him, however, must not be near relatives."⁵ Dr. Howitt tells us that among the Wiimbaio, who occupy the country at the junction of the

¹ Morice, in *Anthropos*, ii. 33.

² Boas, 'Central Eskimo,' in *Ann. Rep. Bur. Ethn.* vi. 579.

³ Lamont, *op. cit.* p. 33. Cf. Melville, *Typee*, p. 103.

⁴ *Infra*, i. 315.

⁵ Boas, quoted by Hartland, *Primitive Paternity*, ii. 144.

Darling and Murray Rivers, wives were exchanged, not only at times when there were great tribal gatherings, but also in order to avert some great trouble which they fancied was about to come upon them, for example, a great sickness;¹ and among the Kurnai of Gippsland the old men ordered an exchange of wives when the Aurora Australis was seen, since "this was thought by them to be a sign of Mungan's anger."² In these cases the deeper meaning of the practice is obscure. Perhaps the Australian rite was a form of homœopathic magic, the change of wives being supposed to effect the change of a dangerous situation.

The practice of exchanging wives may thus be traced to many different causes. Most frequently it is a perfectly voluntary arrangement between the husbands or between all the parties concerned,³ and it never has the character of a claim which one man has to another man's wife. There is consequently no reason whatever to regard it as the survival of an ancient communal right.

Among various peoples promiscuous intercourse is indulged in at certain feasts; and this, too, has been regarded as a survival of ancient promiscuity. We have previously noticed several instances of such feasts,⁴ and others might be added. Sometimes they are held at definite seasons, and sometimes they are connected with particular events in the social life of the people. Speaking of the Koko-nor Tibetans, Mr. Rockhill says that, "in the lamaseries in Amdo, there is held at different times a feast known to the Chinese as *t'iao mao hui*, 'the hat-choosing festival.' During the two or three days the feast lasts a man may carry off the cap of any girl or woman he meets in the temple grounds who pleases him, and she is obliged to come at

¹ Howitt, *op. cit.* p. 195. See also Cameron, in *Jour. Anthr. Inst.* xiv. 353.

² Howitt, *op. cit.* pp. 170, 276 sq.

³ Among the Wagiriana of British East Africa, for instance, two men cannot exchange their wives without the agreement of the latter (Barrett, in *Jour. Roy. Anthr. Inst.* xli. 22).

⁴ *Supra*, ch. ii.

night and redeem the pledge."¹ In the Philippines, at the time of their discovery, marriages were celebrated with extremely obscene dances, "après quoi l'on se couchait pêle-mêle."² In Madagascar orgies of great licentiousness formerly accompanied the birth of a child in the royal family; on such an occasion the streets and lanes of the capital appeared like one vast brothel, and the period during which the debauchery lasted was called *andro-tsi-màty*, that is, a time when the law could not condemn nor the penalty of death be inflicted.³

There is reason to believe that at some of the feasts, at least, the promiscuous intercourse has the character of a magical rite.⁴ And in no case can I regard debauchery or a loosening of the marriage tie on some specific occasion as evidence of a time when there was no marriage tie at all.

¹ Rockhill, *Land of the Lamas*, p. 80 sq.

² Mallat, *Les Philippines*, i. 59.

³ Ellis, *History of Madagascar*, i. 150 sq. Sibree, *The Great African Island*, p. 253. Sir James G. Frazer (*Totemism and Exogamy*, ii. 638) thinks that a trace of "an older custom of sexual promiscuity, or of something like it," may perhaps be detected in these orgies.

⁴ See *supra*, p. 92.

CHAPTER VII

A CRITICISM OF THE HYPOTHESIS OF PROMISCUITY: THE CLASSIFICATORY SYSTEM OF RELATIONSHIP

NEARLY fifty years ago the American anthropologist, Lewis Morgan, published the terms of relationship in use among no fewer than 139 different peoples or tribes. He divided the systems of nomenclature into two great classes, the "descriptive" and the "classificatory," which he regarded as radically distinct. "The first," he says, "which is that of the Aryan, Semitic, and Uralian families, rejecting the classification of kindred, except so far as it is in accordance with the numerical system, describes collateral consanguinei, for the most part, by an augmentation or combination of the primary terms of relationship. These terms, which are those for husband and wife, father and mother, brother and sister, and son and daughter, to which must be added, in such languages as possess them, grandfather and grandmother, and grandson and granddaughter, are thus restricted to the primary sense in which they are here employed. All other terms are secondary. Each relationship is thus made independent and distinct from every other. But the second, which is that of the Turanian, American Indian, and Malayan families, rejecting descriptive phrases in every instance, and reducing consanguinei to great classes, by a series of apparently arbitrary generalisations, applies the same terms to all the members

of the same class. It thus confounds relationships, which, under the descriptive system, are distinct, and enlarges the signification both of the primary and secondary terms beyond their seemingly appropriate sense."¹

Since the publication of Morgan's work many fresh instances of the classificatory system have been discovered in different parts of the world. It is known to exist among the North American tribes, with the exception of the Eskimo. It is universal in Polynesia, Melanesia, New Guinea, and Australia. It is found in India and Northern Asia, and among the Bantu peoples of Africa. And vestiges of it have been discovered elsewhere, even in some parts of Europe.² On the other hand, objections have been made to the generally accepted distinction between descriptive and classificatory systems of terms of relationship. Every language, Professor Kroeber remarks, groups together under single designations many distinct degrees and kinds of relationship. Thus our word brother includes both the older and the younger brother and the brother of a man and of a woman; whilst the English word cousin denotes thirty-two different relationships, and if the term is not strictly limited to the significance of first cousin the number of distinct ideas which it is capable of expressing is many times thirty-two.³ Dr. Rivers finds in particular fault with the term "descriptive system": those designations which apply to one person only may be called descriptive if you please, but when we pass beyond these our terms are no whit more descriptive than those of the classificatory system. According to him, there are really three main varieties of system of relationship in place of the two which have hitherto been recognised, one having its origin in the clan, another one in the family in the narrow sense, and a third

¹ Morgan, *Systems of Consanguinity and Affinity of the Human Family*, p. 12.

² See Rivers, 'On the Origin of the Classificatory System of Relationships,' in *Anthropological Essays presented to E. B. Tylor*, p. 310. *Idem*, 'Kin, Kinship,' in Hastings, *Encyclopædia of Religion and Ethics*, vii. 703 sq.

³ Kroeber, 'Classificatory Systems of Relationship,' in *Jour. Roy. Anthr. Inst.* xxxix. p. 77.

in the extended or patriarchal family.¹ The first is the classificatory system, which might consequently also be called the "clan system."² But whatever may be said against Morgan's terminology, there can hardly be any danger in making use of it in the present discussion.

The simplest, and according to Morgan the earliest, system of the classificatory group is that which he called the "Malayan" system. As Mr. Wallace wrote to me, the term "Malayan" is badly chosen, since the system in question is not found among true Malays. It occurs among the Hawaiians and the Maori of New Zealand, and probably also in other parts of Polynesia.³ I shall call it the Hawaiian system. All consanguinei, near and remote, are in this system classified into five categories. My brothers and sisters and my first, second, third, and more remote male and female cousins, are the first category. To all these without distinction I apply the same term. My father and mother, together with their brothers and sisters, and their first, second, and more remote cousins, are the second category. To all these without distinction I apply likewise the same term. The brothers, sisters, and several cousins of my grandparents I denominate as if they were my grandparents; the cousins of my sons and daughters, as if they were my sons and daughters; the grandchildren of my brothers and sisters and their several cousins, as if they were my own grandchildren. All the individuals of the same category address each other as if they were brothers and sisters.⁴ Altogether there are in the Hawaiian Islands only fifteen terms of relationship, if relatives by marriage are excluded. The other systems of the classificatory group are more discriminating. In nearly all of them the father's brother is classed with the father and the mother's sister with the mother, but very generally a rigorous distinction

¹ Rivers, *Kinship and Social Organisation*, p. 76 sq.

² *Ibid.* p. 71.

³ Morgan, *op. cit.* p. 450 sq. Best, 'Maori Marriage Customs,' in *Trans. and Proceed. of the New Zealand Institute*, xxxvi. 28. Rivers, in Hastings, *op. cit.* vii. 702.

⁴ Morgan, *Ancient Society*, p. 403 sq. *Idem*, *Systems*, p. 482 sq.

is made between relatives through the father and relatives through the mother—between the father's brother and the mother's brother, between the father's sister and the mother's sister, and between the children of brothers or of sisters and the children of brother and sister.¹ Various other details, of less frequent occurrence, will be noticed below.

From the classificatory terms of relationship far-reaching conclusions have been drawn with reference to earlier marriage customs. Morgan assumed that the Hawaiian system of nomenclature was the root from which all the others belonging to the classificatory group had gradually developed ; and from the Hawaiian system itself he inferred the former prevalence of "marriage in a group" of all brothers and sisters and cousins of the same grade or generation—or, more strictly, his case was, that if we can explain the system in question on the assumption that such a general custom once existed, then we must believe that it did formerly exist. "Without this custom," he says, "it is impossible to explain the origin of the system from the nature of descents. There is, therefore, a necessity for the prevalence of this custom amongst the remote ancestors of all the nations which now possess the classificatory system, if the system itself is to be regarded as having a natural origin."² The family resulting from this custom he calls, in his later work, the "consanguine family," and in this, consisting of a body of kinsfolk, within which there prevailed promiscuity, or "communal marriage," between all men and women of the same generation, the family in its first stage is recognised. Morgan believes, however, that as a necessary condition antecedent to this form of the family, promiscuity, in a wider sense of the term, may be theoretically deduced, though, as he says, "it lies concealed in the misty antiquity of mankind beyond the reach of positive knowledge."³

It is needless to examine the last conclusion unless the

¹ See Rivers, in Hastings, *op. cit.* vii. 702 ; *Idem*, *Kinship and Social Organisation*, p. 66.

² Morgan *Systems*, p. 488.

³ *Idem*, *Ancient Society*, p. 502. Cf. *Idem*, *Systems*, p. 487 sq.

hypothesis of the "consanguine family," from which it is drawn, is found acceptable; and so far as I can see, this hypothesis is not only unfounded but contrary to all reasonable assumptions. Among other things it presupposes unrestricted sexual intercourse between brothers and sisters, which is found nowhere among existing savages and is utterly inconsistent with the strict exogamy which prevails among most peoples who have a classificatory system of relationship terms. Morgan seems to assume that the fewer terms such a system contains the more ancient it must be, that a system which makes no distinction between relatives through father and mother must be earlier than one which makes such a distinction. We might just as well conclude that the present English nomenclature, which classes the brothers and sisters of the father together with the brothers and sisters of the mother, must be more ancient than the Anglo-Saxon and Latin systems, which distinguished between paternal and maternal uncles and aunts. Dr. Rivers points out instances of classificatory systems undergoing changes in the direction of the Hawaiian form of nomenclature, and believes that this form, far from being primitive, "rather represents a late stage in the history of the more ordinary forms of the classificatory system"—which, indeed, we might expect from the relatively high development of Polynesian society.¹

At the same time Dr. Rivers thinks it possible that the Hawaiian system "may have had its source in promiscuity, even though this condition be late rather than primitive."² Still more conciliatory is his attitude towards Morgan's hypothesis as regards the form of the family following upon the "consanguine family," the so-called "Punaluan family," which was founded upon intermarriage of several sisters and female cousins with each other's husbands (or several brothers and male cousins with each other's wives) in a group, the joint husbands (or wives) not being necessarily

¹ Rivers, in *Anthropological Essays presented to E. B. Tylor*, p. 311 sqq. *Idem*, *Kinship and Social Organisation*, p. 85. Cf. Schmidt, *Der Ursprung der Gottesidee*, p. 184 n. 2.

² Rivers, *Kinship and Social Organisation*, p. 85.

akin to each other, although often so.¹ In an article published in 1907 Dr. Rivers supports the view that the features of the classificatory system of relationship as we find them at the present time have arisen out of a state of group-marriage—a form of marriage in which definite groups of men are the husbands of definite groups of women—although he points out that the classificatory system lends no support to the view that the state of group-marriage was preceded by one of wholly unregulated promiscuity.² In a later essay he is somewhat more cautious. He throws aside the term group-marriage as only confusing the issue, and speaks rather of a state of organised sexual communism, which he (in his latest work) defines as “a social condition in which it is recognised as legitimate that sexual relations shall take place between a group of men and a group of women.”³ But he is still of opinion that “the classificatory system has several features which would follow naturally from such a condition of sexual communism,” and that “the wide distribution of the classificatory system would suggest that this communism has been very general,” although it need not have been universal.⁴ That the classificatory system has originated in group-marriage is a view which is held by many other writers.⁵ According to Sir James G. Frazer, the classificatory terms express group-relationships, and the only reasonable and probable explanation of such a system of group-relationships is that it originated in a system of group-marriage.⁶ Professor Kohler expresses the same opinion in

¹ Morgan, *Ancient Society*, p. 384.

² Rivers, in *Anthropological Essays presented to E. B. Tylor*, p. 323.

³ *Idem*, *History of Melanesian Society*, ii. 127.

⁴ *Idem*, *Kinship and Social Organisation*, p. 86. In his article on ‘Marriage,’ in Hastings’ *Encyclopædia of Religion and Ethics* (viii. 432), Dr. Rivers says that “the nature of the classificatory system of relationship is most naturally explained by its origin in communistic conditions.”

⁵ See, e.g., Fison and Howitt, *Kamilaroi and Kurnai*, p. 50; Howitt, ‘Native Tribes in South-East Australia,’ in *Folk-Lore*, xvii. 189; Spencer and Gillen, *Native Tribes of Central Australia*, p. 59.

⁶ Frazer, *Totemism and Exogamy*, i. 303, 304, 501; ii. 69 sqq. See also *Idem*, *Folk-Lore in the Old Testament*, ii. 311 sqq.

words which show that he looks upon it as a scientific truth so firmly established that it allows of no doubt whatever.¹

Morgan's hypothesis of the "consanguine family," and to some extent also the theory that the classificatory nomenclature has its origin in group-marriage, are based on the assumption that this nomenclature was originally meant to express the degree and kind of blood-relationship as definitely as the fatherhood of individuals could be known. If a person applied the same term to his father and to certain other men as well, he did so because he could not know who of them was his father. If he applied the same term to his children and to certain other persons also, he did so because he could not know who of them were his children. And the like holds true of other terms of relationship. We shall now consider the assumption which is at the bottom of these inferences. It may, first, be asked whether the meaning of the terms lends any support to it.

The answer to this question must necessarily be very incomplete, since it is only in rare cases that a term is said to have any special meaning apart from its being a designation for a certain person or a certain class of persons. But we know, at all events, one great source from which terms of relationship, whether "descriptive" or "classificatory," have been derived. Professor Buschmann has given us a list of the names for father and mother in many different tongues, and the similarity of the terms is striking. Thus *pa*, *papa*, or *baba*, means father in several languages of the Old and the New World, and *ma*, *mama*, means mother.² The Tupis have *paia* for father and *maia* for mother; the Uaraguaçu, respectively, *paptko* and *mamko*.³ In other languages

¹ Kohler, 'Rechtsphilosophie und Universalrechtsgeschichte,' in v. Holtzendorff, *Enzyklopädie der Rechtswissenschaft*, i. 27. See also *Idem*, 'Zur Urgeschichte der Ehe,' in *Zeitschr. vergl. Rechtswiss.* xii. 321, &c.

² Buschmann, 'Ueber den Naturlaut,' in *Philologische und historische Abhandlungen der Königl. Akademie der Wissenschaften zu Berlin*, 1852, p. 391 sqq. Independently of him Lord Avebury has compiled a similar table in *The Origin of Civilisation*, p. 346 sqq.

³ v. Martius, *Beiträge zur Ethnographie und Sprachenkunde Amerika's*, ii. 9, 10, 18.

the terms for father are *ab, aba, apa, ada, ata, tata*; those for mother *ama, emā, ana, ena, &c.* According to Buschmann, there are four typical forms of words for each of these ideas: for father, *pa, ta, ap, at*; for mother, *ma, na, am, an*. Sometimes, however, the meaning of the types is reversed. Thus in the language of the West Australian Kariera,¹ the Mahaga language of Ysabel,² the Koita language of British New Guinea,³ and Georgian,⁴ *mama* stands for father; whilst the Tuluvas of Southern India call the father *amme* and the mother *appe*.⁵

In many cases the terms used fall outside the types mentioned. In the Lifu tongue, for example, one term for father is *kaka*,⁶ in the Duauru language of Baladea *chicha*,⁷ in the Maréan tongue *chacha* or *cheche*.⁸ Among the Chalcha Mongols and some related peoples mother is *ekè*.⁹ In the Kanúri language of Central Africa the mother is called *ya*; ¹⁰ while the Kechua in Brazil call the father *yaya*.¹¹ Among the Bakongo, as I am informed by Mr. Ingham, *se* means father; in Finnish, *isä*. Again, in the Brazilian Bakaïrí the mother is called *ise*,¹² and in the language of Aneiteum, in the New Hebrides, *risi*.¹³

Similar terms are often used for other relationships. The Greek *πάππος* signifies grandfather and *μάμμα* grandmother. In the Umbaia tribe of Central Australia an elder brother is called *pappa*, and in the Tjingilli tribe the same word is used for children.¹⁴ In Lifuan *mama* means brother,¹⁵

¹ Brown, 'Three Tribes of Western Australia,' in *Jour. Roy. Anthr. Inst.* xliii. 149.

² von der Gabelentz, *Die melanesischen Sprachen*, ii. 139.

³ Seligman, *Melanesians of British New Guinea*, p. 66.

⁴ Hunter, *Comparative Dictionary of the Languages of India and High Asia*, p. 122.

⁵ *Ibid.* pp. 122, 143.

⁶ von der Gabelentz, *op. cit.* p. ii. 52.

⁷ *Ibid.* i. 215.

⁸ *Ibid.* i. 172.

⁹ Klaproth, *Asia Polyglotta*, p. 281.

¹⁰ Barth, *Central-afrikanische Vokabularien*, p. 212.

¹¹ v. Martius, *op. cit.* ii. 293.

¹² von der Steinen, *Durch Central-Brasilien*, p. 341.

¹³ von der Gabelentz, *op. cit.* i. 71.

¹⁴ Spencer and Gillen, *Northern Tribes of Central Australia*, pp. 81, 84.

¹⁵ von der Gabelentz, *op. cit.* ii. 52.

and in the language of the Yánádis of the Madras Presidency it means maternal uncle.¹

The origin of such terms is obvious. They are formed from the easiest sounds a child can pronounce. "*Pa-pa, ma-ma, tata, and a-pa, ama, ata,*" Professor Preyer observes, "emerge originally spontaneously, the way of the breath being barred at the expiration, either by the lips (*p, m*), or by the tongue (*d, t*)."² Yet the different races vary considerably with regard to the ease with which they produce certain sounds. Thus the pronunciation of the labials is very difficult to many Indians;³ and for this reason, it seems, their terms for father, mother, or other near kinsfolk, often differ much from the types given by Buschmann.

The terms of the type which we have now considered may be "classificatory" as well as "descriptive." To take a few instances. A West African Yoruba applies the term *baba* both to his father and to "uncles on both sides of the house."⁴ A Macúsi of British Guiana names his paternal uncle *papa* as well as his father,⁵ and a Maori calls by the same term his father, the brothers of his parents, and the sons of his parents' uncles.⁶ In one Australian tongue, the Umbaia, *pappa* stands both for elder brother and father's elder brother's son, and in another, the Tjingilli, it stands for children, brother's children, and son's son's children.⁷ In the Kariëra tribe of Western Australia *mama* is used for father, father's brother, mother's sister's husband, and various other relatives.⁸ Among the Koita of British New Guinea *mama* is the term for father and paternal uncle, *nena* for mother and maternal aunt, and *nana* for elder brother,

¹ Ranga Rao, 'Yánádis of the Nellore District,' in the Madras Government Museum's *Bulletin*, iv. 99.

² Preyer, *Die Seele des Kindes*, p. 321.

³ Aveling, *Origin of Civilisation*, p. 349.

⁴ Ellis, *Yoruba-speaking Peoples of the Slave Coast*, p. 178.

⁵ Schomburgk, *Reisen in Britisch-Guiana*, ii. 318. Appun, 'Die Indianer von Britisch-Guayana,' in *Das Ausland*, xlv. 447.

⁶ Best, in *Trans. and Proceed. of the New Zealand Institute*, xxxvi. 28.

⁷ Spencer and Gillen, *op. cit.* pp. 81, 84.

⁸ Brown, in *Jour. Roy. Anthr. Inst.* xliii. 43.

sister, or cousin.¹ An Efatese names his father and all the "tribe brothers" of his father *ava* or *tama*.² The Dakota apply the term *ahla* not only to the father, but to the father's brother, to the mother's sister's husband, to the father's father's brother's son, &c., and the term *enah* not only to the mother, but to the mother's sister, to the mother's mother's sister's daughter, &c.³

The terms which have been derived from the babble of infants have, of course, been selected, and the use of them has been fixed, by grown-up persons.⁴ They may therefore, no doubt, throw some light upon the principles of nomenclature. Terms of this kind may even, besides being designations of certain definite persons, acquire a meaning of a more general and abstract character. Mr. A. J. Swann wrote to me from Kavala Island, in Lake Tanganyika, that among the Waguha the words for father, *baba* and *tata*, also have the meaning of protector and provider. Among the Ewhe-speaking peoples of the Slave Coast, according to Major Ellis, the words now used to express "father," *to* and *fofo*, mean respectively, "he who owns" and "he who maintains," neither of them having any relation to the act of begetting.⁵ The Semitic word for father, *ab* (*abu*), is used in a wide range of senses, although, to quote Robertson Smith, it is in all the dialects used "in senses quite inconsistent with the idea that procreator is the radical meaning of the word."⁶ Moreover, there is a large number of terms of relationship which do not consist of sounds borrowed from the lips of infants, and some of these are known to have an independent meaning, apart from being terms of relationship, or to have been derived from words having an independent meaning. But I do not know a single classificatory term which directly refers to the act of begetting or to the fact

¹ Seligman, *op. cit.* p. 66 sq.

² Macdonald, *Oceania*, pp. 126, 186.

³ Morgan, *Systems*, pp. 295, 313, 339, 348, 358, 362, 368, 374.

⁴ Cf. Lang, 'Origin of Terms of Human Relationship,' in *Proceed. of the British Academy*, 1907-1908, p. 149.

⁵ Ellis, *Ewhe-speaking Peoples of the Slave Coast*, pp. 211, 213.

⁶ Robertson Smith, *Kinship and Marriage in Early Arabia*, p. 117 sq.

of having been begotten—in other words, the meaning of which suggests that uncles are classed together with the father, or nephews and nieces with sons and daughters, or cousins with brothers and sisters, because there is uncertainty as regards fatherhood. Such an assumption is not supported by the intrinsic meaning of terms, so far as it is known. We shall now see whether it may be deduced from the result gained by an examination of the qualities which individuals named by the same term have in common. In every classification similarities of some kind or other are grouped together. What are the similarities between the persons classed together by the classificatory terms of relationship?

The persons named by the same classificatory term are generally of the same sex. Yet there are cases in which the sex of the person is indicated by a special word added to the relationship term. In the Hawaiian system father and other kinsmen of the same generation are called *makua kana*; mother, mother's sisters, father's sisters, &c., *makua waheena*; *kana* and *waheena* being the terms for male and female respectively. A son is called *kaikee kana*, a daughter *kaikee waheena*, whilst *kana* alone is applied to husband, husband's brother, and sister's husband, and *waheena* to wife, wife's sister, brother's wife, &c. Certain terms may also be influenced by the sex of the speaker. In many systems two brothers have a term or terms which they use in addressing or speaking of one another, and the same term or terms may be used by two sisters, or these may have terms special to themselves; whereas a brother and sister use a different term or different terms.¹ In the Omaha language different terms were used when a father or mother was spoken to by a son and when they were addressed by a daughter.²

The persons classed together generally belong to the same generation, but at the same time the term applied,

¹ Several instances of this are found in Morgan's tables. See also Rivers, *History of Melanesian Society*, i. 9; Macdonald, *Africana*, i. 143 (Eastern Central Africans).

² Alice Fletcher and La Flesche, 'Omaha Tribe,' in *Ann. Rep. Bur. Ethn.* xxvii. 314.

in an equal degree, depends on the generation of the other party. Within the same generation, also, difference of age very frequently influences the nomenclature. The Hawaiians, according to Judge Andrews, have no definite general word for brother in common use. But *kaikuaadna* signifies any one of my brothers or male cousins, older than myself, I being a male, and any one of my sisters or female cousins, older than myself, I being a female; whilst *kaikaina* signifies the younger brother of a brother, or the younger sister of a sister.¹ Such distinguishing terms applied to older and younger are very frequent in the case of the relationship between brothers and between sisters, whereas only one term, irrespective of age, is nearly always used for brother by a sister and for sister by a brother. Often, too, the brothers of the father, and less frequently the sisters of the mother, are denoted differently according as they are older or younger than the father or mother; but a similar practice is exceptional in the case of the mother's brothers or the father's sisters.² In the Fulfülde tongue (Central Africa) the age of the uncles is so minutely specified that the first, second, third, fourth, and fifth uncle, on both the father's and the mother's side, are each called by a particular name.³

The influence of age shows itself in yet other ways, both in "classificatory" and in "descriptive" systems of nomenclature. The wider use of many terms of relationship and the meaning of certain terms, or of words related to them, bear witness in this direction. Among the North American Indians old people are very commonly named grandfathers and grandmothers.⁴ The Finnish *ämmä* does not signify grandmother only, but old woman in general.⁵ Among many uncivilised peoples old men are addressed as

¹ Morgan, *Systems*, p. 453 note.

² See Rivers, in Hastings, *op. cit.* vii. 702; *Idem*, *History of Melanesian Society*, i. 9 sq.

³ Barth, *op. cit.* p. 216.

⁴ Waitz, *Anthropologie der Naturvölker*, iii. 116. Harrington, 'Tewa Relationship Terms,' in *American Anthropologist*, N.S. xiv. 492.

⁵ Ahlqvist, *Die Kulturwörter der westfinnischen Sprachen*, p. 209.

"fathers" and old women as "mothers."¹ The Swedish *far* and *mor* and the Russian *batushka* and *matushka* are often used in the same way; but the Russian of the lower classes also greets men superior to him in years by the name of "uncle,"² and in Swedish the word *farbror* (father's brother) is a familiar term for a man belonging to an older generation than the speaker, whilst *broder* (brother) is reciprocally used by male friends of the same generation. Among the Basuto, according to Casalis, "in addressing a person older than one's self, one says, 'My father, my mother'; to an equal, 'My brother'; and to inferiors, 'My children.'"³ Mr. Cousins wrote to me that among the natives of Cis-Natalian Kafirland the terms for father, mother, brother, and sister are not restricted to them only, but are applied equally to other persons of a similar age, whether related or otherwise. "*Bawo*," he says, "means elder or older, *baiwo-kulu* means a big-father, one older than father." The Brazilian Uainumá call a father *paii*, but also *pechyry*, which means old.⁴ The Finnish *isä* and the Votyak *ai*, father, the Lappish *aja* and the Esthonian *äi*, grandfather, are evidently related to the Finnish *iso* and *äijä*, which mean big.⁵ In German the parents are *die Eltern*, the older (*die Aellern*), and they are also called familiarly *die Alten*, the father *der Alte*, and the mother *die Alte* or *Altsche*.⁶ In Hungarian, where *bátya* stands for elder brother, an uncle is *nagybátya*, that is, a big elder brother.⁷ In Čagatai an elder sister is called *egeči*, which, according to Vámbéry, actually means old woman (*ege*, old, big; *éči*, woman, sister).⁸

¹ Collins, *Account of the English Colony in New South Wales*, i. 544. Salvado, *Mémoires historiques sur l'Australie*, p. 277. Robertson, *Erromanga*, p. 403. Sibree, *The Great African Island*, p. 244 sq. (Hova). Mr. A. J. Swann, in a letter (Waguha). Hinde, *The Last of the Masai*, p. 51. Reade, *Savage Africa*, p. 248.

² Leroy-Beaulieu, *Empire of the Tsars*, i. 489.

³ Casalis, *Basutos*, p. 207. ⁴ v. Martius, *op. cit.* ii. 247 sq.

⁵ Ahlqvist, *op. cit.* p. 209.

⁶ Deecke, *Die deutschen Verwandtschaftsnamen*, p. 79.

⁷ Ahlqvist, *op. cit.* p. 212.

⁸ Vámbéry, *Die primitive Cultur des turko-tatarischen Volkes*, p. 65.

In the Galibi language of Brazil *tigami* signifies young brother, son, and little child indiscriminately.¹ Several languages have no other words for son and daughter than those for lad and girl.² Thus in Hawaiian a son is called male child, or little male, and a daughter female child or girl.³

It should be added that in some cases the terms are determined, not by the relative ages of those who use the terms, but by the ages of the children of some more or less distant ancestor.⁴ Among the Maori, for example, a man will address another as *tūakāna*, "elder brother" or "elder cousin," if the latter belongs to an elder branch of the family, and as *tāina*, "younger brother" or "younger cousin," if he belongs to a younger branch.⁵

Although terms belonging to classificatory systems are often used in addressing strangers, they are in the first place applied to kinsfolk. Where the clan exists, they are used to denote members of the clan. "All the men of the clan of the speaker and of his own generation are classed in terminology with his brothers. If the clan is patrilineal, all men of the previous generation of his clan are classed with his father, and all of the succeeding generation with his sons. Similarly, all the men of his mother's clan and of her generation are classed with his mother's brother, and all the men of the succeeding generation with his mother's brother's children."⁶ Again, when a classificatory nomenclature is used by a people among whom the clan-organisation does not exist—as is also frequently the case—the terms are

¹ von den Steinen, *op. cit.* p. 341.

² Ahlqvist, *op. cit.* p. 210. von der Gabelentz, *op. cit.* i. 172.

³ Morgan, *Systems*, p. 452 note. Cf. the German *Junge*.

⁴ See Rivers, *History of Melanesian Society*, i. 10; *Idem*, in Hastings, *op. cit.* vii. 702.

⁵ Best, *loc. cit.* p. 28.

⁶ Rivers, in Hastings, *op. cit.* vii. 703. *Idem*, *History of Melanesian Society*, i. 7. In the latter work (i. 7 n. 1) Dr. Rivers defines the clan as "an exogamous group within a tribe or other community, all the members of which are held to be related to one another, and bound together by a common tie. In general, this tie is either a belief in common descent from some ancestor, real or mythical, or the common possession of a totem."

usually limited to those with whom some genealogical connection can be traced or with whom the tradition of such a connection persists.¹ This, however, does not exactly prove that the classificatory terms are, or originally were, expressions of blood-relationship. There are special rights and duties connected with kinship, and various facts indicate that the terms in classificatory systems are fundamentally influenced by such social relationships, although it is quite probable that vague ideas of consanguinity from the beginning were attached at least to some of them. Not only are different designations applied to strangers and kinsfolk, but the comprehensiveness of terms used for kindred of the same sex and generation is influenced by their social relations or functions, the terms, generally speaking, being less comprehensive the more differentiated these functions are. This was already pointed out in the first edition of the present work (p. 93 *sqq.*), and a similar view has been taken by some later writers. I wrote (p. 95) that "a maternal uncle is almost always distinguished from a father by a separate term, whilst this is not the case with an uncle on the father's side, the former generally living in another community from his nephew, and, besides, very frequently standing to him in a quite peculiar relationship through the rules of succession. It may be fairly assumed, too, that a mother's sister much oftener than a father's sister is called a mother, because sisters, among savages, keep, as a rule, far more closely together, when married, than brothers and sisters; sometimes even, especially among the North American Indians, they are the wives of the same man. If we add to this that a father's brother's son and a mother's sister's son are more commonly addressed as brothers than a father's sister's son and a mother's brother's son, it becomes obvious to how great an extent the nomenclature is influenced by external (that is, social²) relations. But as a certain kind of external relationship is invariably connected with a certain degree, or certain degrees, of blood-relationship, the designations

¹ *Idem, History of Melanesian Society*, i. 8.

² In other places (pp. 90, 93) I used the expression "social relationship."

given with reference to the former have been taken as terms for the latter."

I have made this reference to my previous writing to defend myself against an accusation which has been brought against me by Dr. Rivers. Referring to McLennan and myself, he writes that the older objections to Morgan's theory were based on the idea that the classificatory system is only a table of terms of address, "a view which by no means removes the necessity for a theory of its origin"; whereas the tendency of more recent objectors (Lang, Thomas¹) has been to show that the terms of the system are expressive of status and duties and not of consanguinity or affinity.² What I had written was that the terms of relationship were most probably in their origin terms of address. As such they are used even now. "The American Indians," says Morgan, "always speak to each other, when related, by the term of relationship, and never by the personal name of the individual addressed."³ In Melanesia also, according to Dr. Rivers, such terms are used for address, personal names often being prohibited.⁴ Among the Bangerang tribe of Victoria grown-up males "invariably addressed each other either by a term of relationship, or by the name of the class in the tribe to which each person belonged";⁵ and in the Kariara tribe of Western Australia a man or woman never addresses anyone except young children by a personal name, but uses the appropriate

¹ Lang, *Social Origins*, p. 102; see also *Idem*, in *Proceed. of the British Academy*, 1907-1908, pp. 141, 142, 152 sq. Thomas, *Kinship Organisations and Group Marriage in Australia*, p. 123 sqq.

² Rivers, in *Anthropological Essays presented to E. B. Tylor*, p. 318 sq. In his *History of Melanesian Society* (i. 6) Dr. Rivers writes of the classificatory system, "McLennan supposed it to be merely a system of titles of address and Westermarck and others have held the same opinion and have attached little or no weight to the value of the system as evidence of social conditions."

³ Morgan, *Systems*, p. 132. See also Charlevoix, *Voyage to North-America*, ii. 42 (Algonkin); Whiffen, *North-West Amazons*, p. 153.

⁴ Rivers, *History of Melanesian Society*, ii. 36 sq. See also Seligman, *Melanesians of British New Guinea*, pp. 60, 436 (Koita, Southern Massim).

⁵ Curr, *Recollections of Squatting in Victoria*, p. 268.

relationship term.¹ At the same time classificatory terms are also used in speaking of persons, and it may be that one term is used when addressing a relative and another term when speaking of him.² But the question whether the classificatory terms were originally terms of address or not is of no importance in the present connection, when we are trying to find the principles according to which the classifications have been made. And this question was certainly not ignored by me, the result of my investigation (pp. 90-96) being that the names are given "chiefly with reference to sex and age, as also to the external, or social, relationship in which the speaker stands to the person whom he addresses."

I am glad to find that this conclusion, which was arrived at about thirty years ago, gains so much support from Dr. Rivers' recent indefatigable research into the classificatory system, which has led him to the conviction that "the terminology of relationship has been rigorously determined by social conditions."³ Certain facts which he gives with reference to the terms for the mother's brother are particularly instructive. In Polynesia both the Hawaiians and the inhabitants of Niue class this individual with the father, and in neither case was Dr. Rivers able to discover that there were any special duties, privileges, or restrictions ascribed to him. In the Polynesian islands of Tonga and Tikopia, on the other hand, where there are special terms for the mother's brother, this relative has also special functions. And the only place in Melanesia where Dr. Rivers failed to find a special term for the mother's brother, namely, the Western Solomon Islands, was also the only part of Melanesia where he failed to find any trace of special social functions ascribed to that relative.⁴ He also observes that the general character of the classificatory system is exactly such as would be the consequence of its origin in a

¹ Brown, in *Jour. Roy. Anthr. Inst.* xliii. 150.

² Rivers, in Hastings, *op. cit.* vii. 701. *Idem*, *Todas*, pp. 483, 493.

³ *Idem*, *Kinship and Social Organisation*, p. 1; &c.

⁴ *Ibid.* p. 15.

social structure founded on an exogamous social group, and that many details of these systems point in the same direction. Thus, "the distinctions between the father's brother and the mother's brother, between the father's sister and the mother's sister and between the children of these relatives are themselves the natural consequences of the origin of the system in a clan-organisation, for owing to the practice of exogamy, the brothers of the father must always belong to a clan different from that of the brothers of the mother and so with the other examples mentioned. Whenever one finds that these distinctions do not exist, it is also found that the clan-organisation is absent or is in course of profound modification."¹ Among some North American Indians distinct terms are found for relatives of the uncle- and aunt-group after the death of a parent; and the reason for this is no doubt, as Professor Kroeber observes, that the uncle's relation to his orphaned nephew tends to be somewhat different from his relation to the same boy while his natural protector, his father, was alive.²

The social factor has also presumably made itself felt in the distinctions between persons of different sex and of different age. As Wundt remarks in his discussion of the classificatory system, persons of the same sex are more closely associated than are men and women. "In the men's houses a companion of the same group is a brother, one of the next elder group, a father. Together with these men the individual goes to war and to the hunt."³ That the terms for brother and sister in many cases depend on the sex of the speaker as well as on the sex of the person addressed is explained by Dr. Rivers as a consequence of the early separation of brothers and sisters, which is a frequent custom among savage peoples. While two brothers are thus constant companions, and also two sisters, a brother and sister will at an early age come to belong to different social

¹ *Ibid.* p. 71 sqq. Rivers, *History of Melanesian Society*, i. 8.

² Kroeber, *loc. cit.* p. 79.

³ Wundt, *Elemente der Völkerpsychologie*, p. 42 (English translation, p. 41).

groups within the clan ; and this separation will be accentuated when the girl marries and, perhaps at an early age, moves to and becomes for all practical purposes a member of another clan.¹ As to the distinctions of age, it should be noticed that among uncivilised peoples old age commands respect and gives authority, and that, apart from this, there are rights incident to superiority of age as well.² The Australian natives have a well-regulated order of precedence and authority. "When the individual reaches the full development of puberty, he or she undergoes a ceremony which entitles him or her on its successful completion to a certain social rank or *status* in the community. As life progresses, other and higher ranks are progressively attainable for each sex, until the highest and most honourable grade, that enjoyed by an old man, or an old woman, is reached."³ Of another race which in its entirety has the classificatory system, the North American Indians, it is said that "superior age gives authority ; and every person is taught from childhood to obey his superiors and to rule over his inferiors. The superiors are those of greater age ; the inferiors, those who are younger."⁴ The same influence makes itself felt in the relations between elder and younger brothers and sisters ; the eldest brother comes next to the father in authority, and, in case of his death, succeeds him as the head of the family. Dr. Jochelson observes that the distinct denomination of the elder brother and sister among the Koryak shows their position in the family,⁵ and that the case is similar with the inclusion of the mother's elder brother or the father's elder sister in one term with the grandfathers or grandmothers among the Yukaghir. "Among the female members of a family, the father's elder sister occupies the first position, after the father's

¹ Rivers, *History of Melanesian Society*, i. 9.

² See Westermarck, *Origin and Development of the Moral Ideas*, i. 603 sqq.

³ Roth, *Ethnological Studies among the North-West-Central Queensland Aborigines*, p. 169.

⁴ Powell, 'Sociology,' in *American Anthropologist*, N.S. i. 700. Cf. *Idem*, in *Ann. Rep. Bur. Ethn.* iii. p. lviii.

⁵ Jochelson, *Koryak*, p. 760.

mother, in respect to the household; and the mother's elder brother, after the mother's father, is the head of the family."¹ Among many Ural-Altaic peoples the same term is applied to an elder brother as to an uncle, and the same term to an elder sister as to an aunt.²

In an earlier work I have emphasised the immense influence which living together, apart from any blood-relationship, has exercised upon social relations; when unsupported by local proximity kinship itself loses much of its social strength, nay we may even say that the social force of kinship is ultimately derived from near relatives' habit of living together.³ The local influence may therefore also be expected to show itself in the nomenclature. In fact, there can be little doubt that the classifications, even though directly associated with a clan-organisation, are often influenced by certain relatives' habit of living in the same or in a different locality. We shall see that the clan-organisation itself is probably in a large measure dependent on local connections.⁴ Moreover, there are instances of classificatory terms being regularly applied to all persons of a certain class in the same locality, even though they are not kindred. In the Central Provinces of India, according to Mr. Russell, it is commonly found that a man will address all the men in his village who belong to the generation above his own as uncle, though they may be of different castes, and the children of the generation below his own as nephew or niece. Moreover, when a girl is married, all the old men of the village call her husband "son-in-law." And this extends even to the impure castes who cannot be touched.⁵ In Erromanga a man may call another "his brother" if they as children lived and played together in the same village.⁶

The importance of the social factor is also evident in the

¹ *Idem*, *Yukaghir*, p. 72.

² Ahlqvist, *op. cit.* p. 211.

³ *Origin and Development of the Moral Ideas*, ii. 197 sqq.

⁴ *Infra*, on Exogamy.

⁵ Russell, *Tribes and Castes of the Central Provinces of India*, i. 155.

⁶ Robertson, *op. cit.* p. 403 sq.

terms often used in addressing strangers. The Yoruba of the Slave Coast apply the terms *baba*, father, and *iya*, mother, to strangers of the generation next above the speaker, "when it is desired to show respect."¹ Among the Hovas of Madagascar the words for brother and sister "are also used widely for any person whom one meets and desires to act towards in a friendly manner."² In Erromanga, "to call a man your father, *nate*, your brother, *avugsai*, or your son, *netug*, is the greatest token of your love or respect."³ Concerning the Algonkin Indians, Charlevoix states that "when there is between them no relation or affinity, they use the term of brother, uncle, nephew, or cousin, according to each other's age; or according to the value they have for the person they address."⁴ The Yahgans of Tierra del Fuego, according to Mr. Bridges, form certain kinds of friendships, and "speak of aunts, uncles, brothers, sisters, cousins, nieces and nephews, &c., which are only so through the friendships established."⁵ At the same time they have different appellations for nephews and nieces on the brother's side and nephews and nieces on the sister's side, and their words for uncle and aunt differ according as this relationship is paternal or maternal.⁶ Dr. von den Steinen was called by the Brazilian Bakaïrí sometimes "elder brother," sometimes "grandfather," and by the Mehinakú "maternal uncle"; whilst his travelling companions were addressed as "younger brothers" or "cousins."⁷ While living in a Pueblo village Miss Freire-Marreco was called "grandmother" by the younger generation and "aunt" or "female cousin" by the older people.⁸ Mr. Hartshorne was called by the Veddas *hura*,

¹ Ellis, *Yoruba-speaking Peoples of the Slave Coast*, p. 178.

² Sibree, *op. cit.* p. 247.

³ Robertson, *op. cit.* p. 404.

⁴ Charlevoix, *op. cit.* ii. 42.

⁵ Bridges, 'Manners and Customs of the Firelanders,' in *A Voice for South America*, xiii. 212.

⁶ *Idem*, in a letter to the author dated Downcast, Tierra del Fuego, August 28th, 1888.

⁷ von den Steinen, *Unter den Naturvölkern Zentral-Brasiliens*, p. 331.

⁸ Harrington, *loc. cit.* p. 492.

or cousin.¹ When the natives of Botany Bay, Port Jackson, and Broken Bay, in the time when Sydney was established, perceived the authority with which Governor Phillip commanded, and the obedience which he exacted, they bestowed on him the distinguishing appellation of *be-anna*, or father.² Facts like these testify that classificatory terms embody feelings of friendliness or respect, normally felt towards kindred, and consequently are expressive of relations of a social character.

Yet, however greatly the nomenclature may have been influenced by social conditions, the correlation between the presence of a term of relationship and special social relations or functions associated with it is by no means complete. There are cases in which the same term is applied to relatives who stand in considerably different social relations to the speaker. Dr. Rivers points out that while in Tonga and Tikopia the father's sister is denoted by a special term, because she has very definite rights and duties, there is no special term for her in the Banks Islands, although there also she has very definite and important functions; she is here classed with the mother, as is the case in most Polynesian islands, "although she possesses rights and privileges and is subject to restrictions quite different from those of the mother."³ Father Egidi informed Dr. Rivers that in Mekeo the mother's brother has the duty of putting on the first perineal garment of his nephew; yet he has no special term, but is classed with the father.⁴ But besides such minor cases in which relatives with special functions are not denoted by special terms, we are confronted with the extremely frequent custom of classing the father's brother with the father and the mother's sister with the mother, and with the occasional custom of

¹ Hartshorne, 'Weddas,' in *Indian Antiquary*, viii. 320. According to Mr. Le Mesurier ('Veddás of Ceylon,' in *Jour. Roy. Asiatic Soc. Ceylon Branch*, ix. 347), the Rock or Hill Veddas use the word for brother, *aluwa*, when they speak of or to any person with whom they are in friendship.

² Collins, *op. cit.* i. 544.

³ Rivers, *History of Melanesian Society*, ii. 21, 45. *Idem*, *Kinship and Social Organisation*, p. 16.

⁴ *Idem*, *Kinship and Social Organisation*, p. 16.

classing all uncles with the father and all aunts with the mother. This is done in spite of the very special functions of the father and the mother. Dr. Rivers himself admits that "in general, it would seem that the relations between parents and children associated with the classificatory system are much like those which exist among ourselves. The father and mother provide for the child, feed, clothe, and train him, while the child obeys his parents and assists them in their occupations."¹ In the Kariera tribe, where, according to Mr. Brown, the relationship system is "pre-eminently a system of reciprocal rights and duties," though a man owns certain duties to all the men he calls "father," he must observe them more particularly in regard to his real father or his father's brothers than in regard to a distant cousin of his father; and the case is similar with every other relationship.²

This remarkable lack of discrimination in the terms used for father and mother may possibly be due to the fact that these terms have been particularly influenced by the babble of infants, who are apt to use the same sounds for any man of their father's age and for any woman of their mother's age. Another explanation, suggested by two American writers with special reference to the Omaha Indians, is that those terms were applied to "what may be called potential relationships, that is, relationships that would be established through marriage made in accordance with tribal custom. If the wife had sisters, these women held a potential relationship to her husband, as they might become his wives either during his wife's lifetime or at her death"; whilst a man was under obligation to marry his brother's widow. "Because of these potential relationships the children of the wife called all those whom their father might marry 'mother' and all their father's brothers 'father.'"³ All that we can say with a fair amount of certainty is that the classifications in question are connected with that greater strength of kinship ties beyond the family

¹ *Idem*, in Hastings, *op. cit.* vii. 705.

² Brown, in *Jour. Roy. Anthr. Inst.* xliii. 157.

³ Alice Fletcher and La Flesche, *loc. cit.* p. 313.

in the strictest sense of the word which is found among most uncivilised peoples when compared with ourselves and which lessens the difference in status between the members of the family and other kindred. But we are by no means entitled to conclude that they are survivals of a social organisation where there was no difference between the social functions of a father and an uncle and between those of a mother and an aunt—in other words, where there was no family of the present type. Existing social conditions may throw light on the terms of relationship, but to infer, *vice versa*, the earlier existence of certain social conditions from certain terms of relationship can in most cases be nothing more than a guess.

It should, first, be noticed that if some term or terms of relationship are regularly found together with some special social institution, it may be that the latter is no more the cause of the former than the lightning is the cause of the thunder: they may both be effects of a common cause. The frequent co-existence of classificatory terms with exogamic marriage prohibitions may be an instance of this: the terms are not necessarily caused by the prohibitions, but the strong feeling of kinship which has, for example, led to the classification of cousins with brothers and sisters may also have led to the rule which treats sexual intercourse between them as incest. If a classificatory nomenclature thus co-exists with a certain social rule or institution as an effect of the same cause as has produced the latter, we can never be certain that where we find one of the effects the other one must also have occurred in former times. Nor does an established causal connection between the presence of a term of relationship and some special function associated with the relationship prove the earlier existence of the social function whenever the term is found alone, since the latter may have a different origin in different cases. Suppose that in Mekeo the mother's brother, whose duty it is to put on the first perineal garment of his nephew, instead of being classed with the father had a special term, as he ought to have according to the general law formulated by Dr. Rivers, that would not prove that whenever the

mother's brother has a special term—even if it happened on a neighbouring island—it is or has been his duty to put on the perineal garment of his nephew. The special term merely suggests in a broad way that the relation in which he stands to his nephew differs somehow, or has differed somehow, from the relation in which the father stands to his son. But this is a very empty suggestion, which practically teaches us nothing about the present or the past.

In certain respects, however, classificatory terms have been supposed to give us very definite information about earlier social conditions. I shall first deal with a case to which Dr. Rivers attaches much importance from the point of view of method. In some Melanesian islands he has found the practice of the cross-cousin marriage—that is, the marriage of a man with the daughter either of his mother's brother or of his father's sister—combined with a nomenclature which is "just such as would follow from this form of marriage."¹ In the Mbau dialect of Fiji, for example, the word *vungo* is applied to the mother's brother, the husband of the father's sister, and the father-in-law. The word *nganei* is used for the father's sister, the mother's brother's wife, and the mother-in-law. The term *tavale* is used by a man for the son of the mother's brother or of the father's sister as well as for the wife's brother and the sister's husband. *Ndavola* is used not only for the child of the mother's brother or father's sister when differing in sex from the speaker, but this word is also used by a man for his wife's sister and his brother's wife, and by a woman for her husband's brother and her sister's husband. "Every one of these details of the Mbau system," says Dr. Rivers, "is the direct and inevitable consequence of the cross-cousin marriage, if it become an established and habitual practice." He then concludes that if there be found among any other people all the characteristic features of this system, there could be no reasonable doubt as to the former existence of the cross-cousin marriage, since "it would seem almost inconceivable that there should ever have existed any other conditions, whether social or psychological, which could have

¹ *Idem, Kinship and Social Organisation*, p. 22 sq.

produced this special combination of peculiar uses of terms of relationship."¹ So also the terms of relationship used in three of the chief languages spoken by the people of South India "are exactly such as would follow from the cross-cousin marriage." So far as we know, this kind of marriage is not now practised by the vast majority of the peoples who use those terms, but it still persists in many parts of South India; and we are told that there can be no doubt that the terminology is a survival of an ancient social condition in which the cross-cousin marriage was habitual.²

Dr. Rivers bases his conclusions on the assumption that when the cross-cousin marriage is found together with a nomenclature which is "just such as would follow from this form of marriage," the nomenclature must necessarily be the result of the cross-cousin marriage. Now it seems to me difficult to admit that the terminology in question exactly corresponds with the consequences of a cross-cousin marriage. Dr. Rivers says himself that although all the peoples who are known to practise this kind of marriage use the classificatory system of relationship, the marriage is not usually between cross-cousins in the wide classificatory sense, but between the children of "own brother and sister."³ If an ancient Arab called his beloved one *bint 'amm*, that is, father's brother's daughter, and his father-in-law *'amm*, father's brother, even though they were not related to each other by blood,⁴ it is obvious that he did so because a man was held to have a right to his *bint 'amm*'s hand; ⁵ but it is not equally obvious that a Fijian calls a large number of men (mother's brother, father's sister's husband, father-in-law) *vungo* and a large number of women (father's sister, mother's brother's wife, mother-in-law) *nganei* because he marries, or is likely to marry, the daughter of one definite member of the group. I venture to believe that the terminology allows of a more natural explanation than that given by Dr. Rivers. In Fiji and other places where the

¹ *Ibid.* p. 43.

² *Ibid.* p. 47 *sqq.*

³ Rivers, 'Marriage,' in Hastings, *op. cit.* viii. 426.

⁴ Goldziher, 'Endogamy and Polygamy among the Arabs,' in *Academy*, xviii. 26.

⁵ Westermarck, *Marriage Ceremonies in Morocco*, p. 55 *sq.*

cross-cousin marriage exists, a man is not allowed to marry the daughter either of his father's brother or of his mother's sister, whereas marriage between cross-cousins in the classificatory sense is permitted, although a man usually marries the actual daughter of his father's sister or of his mother's brother. Persons to whom a man may become related by marriage and others to whom he may not become thus related stand in a different relation to him and are therefore apt to be distinguished from each other by different terms. In other words, the terminology may, instead of being due to habitual cross-cousin marriage, be simply connected with the marriageability of cross-cousins in the classificatory sense. This explanation reconciles the existence of classificatory terms in a wide sense with the prevalence of marriages between cross-cousins in our sense of the term. It further accounts for the fact that a terminology similar to that which occurs among the peoples who have the cross-cousin marriage is also found among many peoples to whom this institution is unknown, but who share with the former the same rules as to the legitimacy or illegitimacy of marriages between different kinds of cousins; and it accounts for this fact without postulating the earlier existence of habitual cross-cousin marriage among them. This I consider to be a great advantage; a theory which can in a satisfactory manner explain a social phenomenon by existing conditions must certainly take precedence of one which explains it as a survival of something hypothetical in the past. It is interesting to note that a terminology of relationship which according to Dr. Rivers "bears evidence of the cross-cousin marriage" has been found among many North American Indians, although this form of marriage is known by him to occur only among one or two of their tribes. He consequently admits that the existing evidence is inconclusive.¹

¹ Rivers, *Kinship and Social Organisation*, p. 49 sqq. Frazer, who has in detail studied the prevalence of cross-cousin marriage among different peoples, observes (*Folk-Lore in the Old Testament*, ii. 145 sq.) that the Western Tinné present "the only clear case of preference for marriage with a first cousin, the daughter of a mother's brother, which has been recorded in the whole of North America."

It may seem that I have devoted too much space to a detail of comparatively small importance. In this connection, however, it is not the facts themselves that are of interest, but the method of dealing with them. I think I have done justice to the school of Morgan by choosing for my criticism the case which one of its most careful and painstaking exponents considers to demonstrate more clearly and conclusively than anything else the dependence of the classificatory terminology upon forms of marriage. Indeed, Dr. Rivers doubts whether, apart from quantitative verification, "it would be possible in the whole range of science to find a case where we can be more confident that one phenomenon has been conditioned by another."¹ For my own part, I have endeavoured to show that even the co-existence of a common nomenclature for two or more relatives with a form of marriage which more or less agrees with it does not prove that the form of marriage is the cause of the nomenclature. What, then, if the common nomenclature is found alone? According to Dr. Rivers, "one may say that the probability that the common nomenclature for two relatives is the survival of a form of marriage becomes the greater, the more similar is the general culture in which the supposed survival is found to that of a people who practise this form of marriage."² But this is, in my opinion, a very insufficient precaution, in the first place because co-existence is not causation, and in the second place because a classificatory term may have a different origin in different cases. It shows, however, like many other statements by Dr. Rivers, that he is aware of the perplexity of a subject which most of Morgan's followers, like the master himself, have treated with the greatest nonchalance.³ When

¹ Rivers, *Kinship and Social Organisation*, p. 25. ² *Ibid.* p. 46.

³ At the same time Dr. Rivers seems to maintain that we have a right to infer the existence of a certain form of marriage from certain features of terminology, even though we are ignorant of its existence anywhere. For he says (*Kinship and Social Organisation*, p. 26) that Morgan lost a great opportunity by not predicting the cross-cousin marriage although he knew such features of terminology as follow from it. "He might have predicted a form of marriage which would soon afterwards have been independently

Professor Kohler, for example, finds that among the Wadshagga a man uses the same term for his father's sister as for his own sister, he at once concludes that this must be a survival from a time when nephews were in the habit of marrying their aunts.¹ It would be interesting to learn what inferences would, according to the same principle, be made from the following facts with reference to early European marriage customs. In English the word "nephew" was in the seventeenth century frequently used for a grandson, and the word "niece" for a granddaughter.² In Dutch the term *neef* is applied to a nephew (brother's or sister's son), a male cousin (uncle's or aunt's son), and a descendant of any such relative or of a niece or a female cousin; and the term *nicht* is applied to a niece (brother's or sister's daughter), to a female cousin (uncle's or aunt's daughter), and to the descendant of any such relative or of a nephew or male cousin.³ Here the same terms are thus used for persons belonging to three or more different generations. The Latin *nepos* meant both grandson and nephew; and Herodotus used the word ἀνεψιός both for a nephew⁴ and a cousin.⁵

discovered. Such an example of successful prediction would have forced the social significance of the terminology of relationship upon the attention of students in such a way that we should have been spared much of the controversy which has so long obstructed progress in this branch of sociology." For my own part I believe that the progress of sociology is more hampered by the use of an illegitimate method than by the absence of predictions, even though these sometimes happen to be true; and I sincerely hope that the new impetus given by Dr. Rivers' investigations to the study of the terms of relationship will not lead sociologists to waste their time on forming all sorts of hypotheses on ancient marriage customs because the terms of relationship are "just such as would follow" from them. There are unfortunately signs that the temptation to do so is strong.

¹ Kohler, 'Das Banturecht in Ostafrika,' in *Zeitschr. f. vergl. Rechtswiss.* xv. 13.

² Craigie, in *New English Dictionary on Historical Principles*, vol. vi. pt. iv. 91, 135.

³ van Dale, *Groot Woordenboek der Nederlandsch taal*, pp. 1176, 1183.

⁴ Herodotus, vii. 5.

⁵ *Ibid.* v. 30.

If a common nomenclature for persons representing two or more relationships really were an indication of a certain form of marriage in the past, the English terminology might lead to the interesting discovery that the English have been in the habit of marrying their sisters. The same term, "uncle," is used for the father's brother and the mother's brother; the same term, "aunt," for the father's sister and the mother's sister; the same term, "grandfather," for the father's father and the mother's father; the same term, "grandmother," for the father's mother and the mother's mother; the same term, "cousin," for the father's brother's son or daughter and for the mother's brother's son or daughter, as also for the father's sister's son or daughter and for the mother's sister's son or daughter; the same term, "nephew," for the brother's son and the sister's son; the same term, "niece," for the brother's daughter and the sister's daughter; the same term, "grandson," for the son's son and the daughter's son; the same term, "granddaughter," for the son's daughter and the daughter's daughter. If we assume that the common nomenclature indicates the former combination of two relationships in one and the same person, we come to the conclusion that the father's brother and sister have also been the mother's brother and sister, the father's parents also the mother's parents, the father's brother's children also the mother's brother's children, the father's sister's children also the mother's sister's children, the brother's children also the sister's children, the son's children also the daughter's children. It is true that the English have the terms father- and mother-in-law, brother- and sister-in-law, and son- and daughter-in-law. But these terms would also have been necessary in the days of the brother-and-sister marriage, because a man who had no sister to marry, and a woman who had no brother, could not on that account be expected to remain celibates. The Hawaiians, too, have terms for relatives by marriage,¹ in spite of their prehistoric "consanguine family," which really ought to have made such terms unnecessary; indeed, in place of our word "brother-in-law" they have two

¹ Morgan, *Systems*, p. 561 sqq.

expressions, one used by a man for his wife's brother and his sister's husband, and another used by a woman for her husband's brother and her sister's husband.¹ But even now the father- and mother-in-law are in familiar English often called "father" and "mother," the brother- and sister-in-law "brother" and "sister" (Dr. Rivers, however, seems to connect this expression with the prohibition of marrying the deceased wife's sister),² and the son- and daughter-in-law "son" and "daughter," and if a man wants to be on good terms with his wife's uncles and aunts, he may call them "uncle" and "aunt." Not the least interesting fact connected with the brother-and-sister marriage deduced from the English terms of relationship is that it would have occurred in comparatively recent times, since both the Anglo-Saxon and the Latin systems, as has been mentioned above, distinguished between paternal and maternal uncles and aunts. This, however, is rather awkward, because it also gives the historian a voice in the matter. He who studies the history of a savage society need not fear any such interference in his deductions from the systems of relationship, in which, according to Dr. Rivers, he has, "like fossils, the hidden indications of ancient social institutions."³

Why is it a fallacy to conclude that a term which may be applied to persons representing different relationships proves the previous existence of a certain form of marriage? The fallacy lies in the assumption that the use of such a term combines the different relationships in one and the same person. A classificatory term is taken to be used as if it stood for two descriptive terms. If I say that a man is the father's brother and the mother's brother of another person, we may at once draw the conclusion that the latter is the offspring of brother and sister; but the case is different if I say that a man is another person's uncle, simply because uncle means father's brother *or* mother's brother, not father's brother *and* mother's brother. Some of those who maintain that the classificatory system proves the former

¹ Morgan, *Systems*, p. 565

² Rivers, *Kinship and Social Organisation*, p. 65.

³ *Idem*, *History of Melanesian Society*, i. 3.

existence of a "consanguine family" or of group-marriage have been guilty of an even worse confusion. They have practically assumed that a classificatory term stands for *one* descriptive term, which, however, is applied to different relatives because any one of them may actually represent the relationship expressed by the term. The same term, it is argued, is applied to the father and to the father's brother and cousins, or (in the Hawaiian system) to the mother's brothers and cousins as well, because it is uncertain who of them is the father, in our descriptive sense of the term. The same terms are applied to brothers and sisters and to paternal or maternal cousins or to both paternal and maternal cousins, because it is uncertain who are brothers or sisters and who are cousins. And so forth. The whole of this argument, however, is overthrown by the fact that the same term is also applied to the mother and to the mother's sisters and cousins or (in the Hawaiian system) to the father's sisters and cousins as well, and that a woman applies the same terms to her sisters' and cousins' children as to her own sons and daughters. It is conceivable that uncertainty as regards fatherhood might have led a savage to call several men his father, but uncertainty as regards motherhood could never have led him to call several women his mother, or could never have led a woman to call other women's children her sons and daughters.¹

Dr. Rivers, however, thinks that there may be two answers to this objection. "It may be," he says, "that there was once a definite term for the individual relation between mother and child, and that the term became extended at a later stage of evolution so as to fall into line with other kinship terms." The other answer, which he considers to be more likely to be true, is that, in such a state of society as that we must assume, when the system of relationships was in process of development, the special relationship between mother and child would hardly have persisted beyond the time of weaning. The separation would then have occurred

¹ Cf. Darwin, *Descent of Man*, ii. 391; McLennan, *Studies in Ancient History*, p. 259; Macdonald, *Oceania*, p. 188; Thomas, *op. cit.* p. 123.

before the age at which the child began to learn the terms of relationship to any great extent ; and " it is even possible that in this early stage of culture the duty of suckling may have been shared by other women of the group, and that at the time of weaning, the child might not have been in the position to differentiate between its own mother and the other child-bearing women of the group."¹ The first answer is merely a guess, and the second is almost worse. Where in the world has a society been found in which it is the custom for infants to be taken away from their mothers when they are weaned, or for mothers to desert their infants ? And even if it were worth while inventing such a society in the interest of the cherished institution of group-marriage, it would be impossible to find mothers who were equally ignorant of their children as the children were of their mothers.²

Sir James Frazer, again, thinks that group-marriage may be saved without the support of Dr. Rivers' suggestions. He says that the difficulty of understanding how a person should ever come to be treated as the child of many mothers " only exists so long as we confuse our word ' mother ' with the corresponding but by no means equivalent terms in the languages of savages who have the classificatory system. We mean by ' mother ' a woman who has given birth to a child ; the Australian savages mean by ' mother ' a woman who stands in a certain social relation to a group of men and women, whether she has given birth to any one of them or not. She is ' mother ' to that group even when she is an infant in arms."³ But if the term for " mother " has nothing to do with the idea of consanguinity, why should the term for " father " have anything to do with it ? If the former is applied to a woman who is known not to have given birth to the child, why should the latter term be applied to a man because he may possibly have begotten it ? Frazer's explanation is, in fact, an admission that the classificatory terms are not indications of blood-ties ; he says himself

¹ Rivers, in *Anthropological Essays presented to E. B. Tylor*, p. 317.

² Cf. Lang, in *Proceed. British Academy*, 1907-1908, p. 140.

³ Frazer, *Totemism and Exogamy*, i. 304.

that "the classificatory system is based on the marital, not on the parental, relation."¹

Much stress has been laid upon the fact that the Australian savage applies the same term to the woman or women whom he actually marries and to all the women whom he might lawfully marry, that is, who "belong to the right group."² This has been interpreted as a consequence of earlier group-marriage; and the same is the case with the more general fact that in the classificatory systems of many peoples in different parts of the world the wife's sisters and the brothers' wives (male speaking) are classed in nomenclature with the wife, and reciprocally, the sisters' husbands (woman speaking) and husband's brothers are classed with the husband. But Frazer's warning with reference to the classificatory term for "mother" applies with equal strength to the classificatory term for "wife": we must not confuse our word "wife" with "the corresponding but by no means equivalent terms in the languages of savages who have the classificatory system." When they use the same term for a wife, in our sense of the word, and for certain other women as well, they do so, not on account of earlier group-marriage, but simply because the women who may be a man's wives and those who cannot possibly be so stand in a widely different relation to him. This circumstance, to which I shall revert in the chapter on group-marriage, corroborates the explanation I have given above of the co-existence of certain classificatory terms and cross-cousin marriage. And in the present case Dr. Rivers seems on the whole to agree with me.³

Dr. Rivers' attitude towards the dependence of the classificatory system upon group-marriage or sexual communism is somewhat different from that of most other anthropologists who believe in such a dependence. As we have already noticed, he has expressed the view that the features of the classificatory system have arisen out of a state of

¹ *Ibid.* i. 305.

² Spencer and Gillen, *Native Tribes of Central Australia*, p. 57.

³ Rivers, *History of Melanesian Society*, ii. 128 sq. I had expressed this view already in the second edition of the present work (p. 56).

group-marriage, and maintains still, at any rate, that this system has several features which would follow naturally from a condition of sexual communism. But in spite of his suggestion as regards the origin of the classificatory terms for "mother," he says that the view which explains the classificatory system as the result of group-marriage implies that this system was in its origin expressive of status rather than of consanguinity and affinity: "the terms would stand for certain relations within the group to which only the vaguest ideas of consanguinity need have been attached."¹ And Sir James Frazer thinks that he is probably right in this contention.² Then we come back to our old problem how far we may infer the earlier existence of certain social conditions from certain terms of relationship. We have seen how dangerous any such inference is even if the terms of relationship are regularly found together with some special institution. But in the present case there is no such regular coincidence. Whilst the classificatory system is extremely common, "group-marriage" or sexual communism is comparatively very rare. Dr. Rivers says that he has evidence from Melanesia "which places beyond question the former presence of such a condition, with features of culture which become readily explicable if they be the survivals of such a state of sexual communism as is suggested by the terminology of the classificatory system."³ Other anthropologists have in Australia found evidence of the dependence of the classificatory nomenclature upon "group-marriage" still in existence. But, as I shall show in another place, neither the Melanesian nor the Australian terminology corresponds with those particular forms of "group-marriage," or sexual communism, which exist or are supposed to have existed among the peoples who have the terminology.⁴ Nay, even if they did correspond, it would be a great error of method to conclude that the classificatory system has everywhere originated in "group-marriage" or sexual communism.

¹ *Idem*, in *Anthropological Essays presented to E. B. Tylor*, pp. 319, 322.

² Frazer, *op. cit.* i. 307.

³ Rivers, *Kinship and Social Organisation*, p. 86.

⁴ See *infra*, on Group-marriage and other Group-relations.

It would not be legitimate even according to the principles laid down by Dr. Rivers, as this is certainly one of those cases in which "differences of culture or the absence of intermediate links make it unjustifiable to infer the ancient existence of the forms of marriage from which features of terminology might be derived."¹ Yet he has himself asserted that the classificatory system has probably had its origin in some universal, or almost universal, stage of social development characterised by group-marriage;² although he has subsequently somewhat modified this opinion.³

For the rest, I entirely fail to understand how the classificatory system can be regarded as the result of sexual communism if, as Dr. Rivers maintains,⁴ the classificatory terms for husband and wife lend no support to the hypothesis that they are survivals of such communism, but are more naturally explained as the result of the status of certain men and women as potential husbands and wives. What other terms, then, could be expected to tell us that a certain group of men have, or have had, the right of access to a certain group of women? The conclusion that the classificatory system is caused by group-marriage or sexual communism is not justified if the terms stand for certain social relations to which "only the vaguest ideas of consanguinity" have been attached. They must have expressed the degree and kind of blood-relationship as definitely as the fatherhood of individuals could be known. Although fundamentally influenced by social relations, as already said, they probably from the beginning expressed in a general way the idea of consanguinity as well, being in the first place used as terms for kindred; but it is simply impossible to believe that they were ever meant to be "descriptive" of one definite kind of relationship—fatherhood, motherhood, and so forth—either actual or hypothetical.

It has been argued that if the classificatory terms do not denote definite relationships, then those who use them have

¹ Rivers, *Kinship and Social Organisation*, p. 59.

² *Idem*, in *Anthropological Essays presented to E. B. Tylor*, p. 323.

³ See *supra*, p. 241.

⁴ Rivers, *History of Melanesian Society*, ii. 129.

no terms at all for such relationships.¹ This argument has no weight. The English use classificatory terms for all except the nearest degrees of relationship, but if they want to define any particular relationship they have always means of doing so. And so have savages. Mr. Washington Matthews writes of the Hidatsa Indians, belonging to the Dakota :—" When they wish to distinguish between an actual father and a father's brothers, they use the adjective *ka'ti*, true, real, in speaking of the former. . . . There is a special word to designate the real mother, although she is commonly called by the terms which apply as well to her sisters. There are two names for wife ; one for a wife by actual marriage, the other for an actual wife as well as what might be called a potential wife, *i.e.*, a wife's sisters. . . . It must not be supposed, from the wide significance of some of their terms, that they do not discriminate between all grades and conditions of kinship. When they have no single word to define the relationship, they employ two or more words."² In Mota, one of the Banks Islands, according to Dr. Codrington, the terms *tamai* and *veve* are used for father and mother respectively, but are also applied " to all of the same generation with the parents who are 'near' and belong to the family connection." Yet this wide use of the terms " does not at all signify any looseness in the actual view of proper paternity and maternity ; they are content with one word for father and uncle, for mother and aunt, when the special relation of the kinship of the mother's brother does not come in ; but the one who speaks has no confusion as to paternity in his mind, and will correct a misconception with the explanation, ' my own child, *tur natuk* ; his real father, *tur tamana* ; *tur tasina*, his brother not his cousin.' "³ The Maori, who apply the term *pāpā* to the father, the uncles, and the sons of the parent's uncles, have also the term *pāpara*, denoting the real father, although

¹ Fison, ' Classificatory System of Relationship,' in *Jour. Anthr. Inst.* xxiv. 369.

² Matthews, *Ethnography and Philology of the Hidatsa Indians*, p. 57.

³ Codrington, *Melanesians*, p. 36 sq.

it is not often heard.¹ In the Kariëra tribe, according to Mr. Brown, each term has what we may call a primary or specific meaning, which corresponds very closely with the use of relationship in English. Thus, although a given person applies the name *mama* to a large number of individuals, if he is asked "Who is your *mama*?" he immediately replies by giving the name of his actual father, unless his own father died during his infancy, in which case he gives the name of his foster father, a man's nearest relative of this kind being not necessarily the man who gave him birth, but the man under whose care he lived as a child.² Messrs. Spencer and Gillen emphatically assert that among the Central Australian natives described by them there is no "special term applied to the special wife, apart from the general one given in common to her and other women of her group whom it is lawful for a man to marry and outside of whom he may not marry."³ But Strehlow says that whilst the Arunta apply the term *noa* both to an actual wife and to a potential wife, they use the term *nōatja* (contraction of *noa* and *atja*) for the former only;⁴ and the Finke River natives, according to Schulze, call the actual wife *noa iltja*.⁵

Finally I beg to recommend to the consideration of those who maintain that the classificatory system of the Australian savages has originated in group-marriage the interesting statement made by Spencer and Gillen and other writers, that in many of their tribes procreation is not known to be the result of sexual intercourse.⁶ If the same ignorance prevailed in those days when their classificatory terms were formed, it is obvious that the terms for the father and the men classed with him and, generally, all terms of relationship

¹ Best, *loc. cit.* p. 28.

² Brown, in *Jour. Roy. Anthr. Inst.* xliii. 150. See also *ibid.* p. 157.

³ Spencer and Gillen, *Native Tribes of Central Australia*, pp. 95, 96, 106. *Idem*, *Northern Tribes of Central Australia*, p. 140.

⁴ Strehlow, *Die Aranda- und Loritja-Stämme in Zentral-Australien*, vol. iv. pt. i. 65.

⁵ Schulze, 'Aborigines of the Upper and Middle Finke River,' in *Trans. Roy. Soc. South Australia*, xiv. 224. See Eylmann, *Die Eingeborenen d. Kolonie Südastralien*, p. 171. ⁶ See *infra*, i. 288 sqq.

through a male, cannot possibly have any reference to consanguinity, either actual or hypothetical. The theory of group-marriage is thereby deprived of the last shadow of support which it could conceivably derive from the classificatory terms used for blood-relatives.

If the classificatory system, for the reasons which I have set forth in this chapter, is no indication of earlier group-marriage or sexual communism, it is no more an indication of a "consanguine family" or a previous state of absolute promiscuity. But even if it really were so—contrary to all our arguments—that would not prove that such a state ever has been universal in the social development of mankind; for we do not know that the classificatory system has prevailed among all the races of the world, although it has been suggested that it has.¹ Nor do we know that it is the earliest system of nomenclature among those peoples who have it. On the contrary, if man originally lived in families or small family groups, the classificatory system could hardly have been primitive, but would only have emerged after the families had expanded into larger bodies.

It has recently been vindicated with great fervour that "systems of relationship furnish us with a most valuable instrument in studying the history of social institutions," including the institution of marriage, and that the study of those systems "is essential for advance in our knowledge of prehistoric sociology."² For my own part, however, I cannot help thinking that the endeavour hitherto made to use the classificatory terms of relationship as a means of disclosing the secrets of ancient marriage customs has, in spite of all the labour and ingenuity bestowed upon it, been a source of error rather than knowledge.

¹ E.g., by Rivers, in *Anthropological Essays presented to E. B. Tylor*, p. 310.

² *Idem*, *Kinship and Social Organisation*, p. 1, and *passim*. *Idem*, *History of Melanesian Society*, i. 3, and *passim*.